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FINAL ACT AND CONVENTIONS OF THE SECOND PEACE CONFERENCE.

Signed, October 18, 1907.¹

[TRANSLATION.]

Acte Final.

La Deuxième Conférence Internationale de la Paix, proposée d'abord par Monsieur le Président des Etats-Unis d'Amérique, ayant été, sur l'invitation de Sa Majesté l'Empereur de Toutes les Russies, convoquée par Sa Majesté la Reine des Pays-Bas, s'est réunie le 15 juin 1907 à La Haye, dans la Salle des Chevaliers, avec la mission de donner un développement nouveau aux principes humanitaires qui ont servi de base à l'oeuvre de la Première Conférence de 1899.

Les Puissances, dont l'énumération suit, ont pris part à la Conférence, pour laquelle Elles avaient désigné les Délégués nommés ci-après:

L'ALLEMAGNE.

Son Exc. le Baron Marschall de Bieberstein, Ministre d'Etat, Ambassadeur Impérial à Constantinople, Premier Délégué Plénipotentiaire;

Text of the Final Act.

The Second International Peace Conference, first proposed by the President of the United States of America, having been, through the invitation of His Majesty the Emperor of all the Russias, convoked by Her Majesty the Queen of the Netherlands, met June 15, 1907, at The Hague, in the Hall of Knights, with the mission to further develop the humanitarian principles which were the basis of the work of the first conference of 1899.

The powers, whose enumeration follows, have taken part in the conference, for which they have designated the delegates named below:

GERMANY.

His Excellency Baron Marshall de Bieberstein, Minister of State, Imperial Ambassador at Constantinople, First Delegate Plenipotentiary;

¹ The editor is indebted, for many of the translations here given, to *Miscellaneous*, No. 1 (1908), Blue Book.

M. Kriege, Envoyé Impérial en Mission extraordinaire à la présente Conférence, Conseiller Intime de Légation et Jurisconsulte au Département des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Second Délégué Plénipotentiaire;

M. le Contre-Amiral Siegel, Attaché Naval à l'Ambassade Impériale à Paris, Délégué de la Marine;

M. le Major-Général de Gündell, Quartier-Maître Supérieur du Grand Etat-major de l'Armée Royale de Prusse, Délégué militaire;

M. Zorn, Professeur à la Faculté de Droit de l'Université de Bonn, Conseiller Intime de Justice, Membre de la Chambre des Seigneurs de Prusse, et Syndic de la Couronne, Délégué scientifique;

M. Göppert, Conseiller de Légation et Conseiller adjoint au Département des Affaires Etrangères, Délégué adjoint;

M. Retzmann, Capitaine-Lieutenant de l'Etat-major général de la Marine, Délégué adjoint de la Marine.

M. Kriege, Imperial Envoy on Extraordinary Mission at the present Conference, Privy Councillor of Legation and Legal Advisor to the Ministry for Foreign Affairs, Member of the Permanent Court of Arbitration, Second Delegate Plenipotentiary;

Rear Admiral Siegel, Naval Attaché to the Imperial Embassy at Paris, Naval Delegate;

Major-General de Gündell, Quartermaster General of the General Staff of the Royal Prussian Army, Military Delegate;

M. Zorn, Professor to the Faculty of Law at the University of Bonn, Judicial Privy Councillor, Member of the Prussian Upper Chamber, and Crown Syndic, Scientific Delegate;

M. Göppert, Councillor of Legation and Councillor attached to the Department for Foreign Affairs, Assistant Delegate;

M. Retzmann, Lieutenant-Commander on the Naval General Staff, Assistant Naval Delegate.

LES ÉTATS-UNIS D'AMÉRIQUE.

Son Exc. M. Joseph H. Choate, ancien Ambassadeur à Londres, Ambassadeur extraordinaire, Délégué Plénipotentiaire;

Son Exc. M. Horace Porter,

UNITED STATES OF AMERICA.

His Excellency Mr. Joseph H. Choate, ex-Ambassador at London, Ambassador Extraordinary, Delegate Plenipotentiary;

His Excellency Mr. Horace

ancien Ambassadeur extraordinaire, Délégué Plénipotentiaire;

Son Exc. M. Uriah M. Rose, Ambassadeur extraordinaire, Délégué Plénipotentiaire;

Son Exc. M. David Jayne Hill, ancien Sous-Secrétaire d'Etat des Affaires Etrangères, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

M. le Contre-Amiral Charles S. Sperry, ancien Président de l'Ecole de Guerre maritime, Ministre plénipotentiaire, Délégué Plénipotentiaire;

M. le Général de Brigade George B. Davis, Chef de la Justice militaire de l'Armée des Etats-Unis, Ministre plénipotentiaire, Délégué Plénipotentiaire;

M. William I. Buchanan, ancien Ministre à Buenos Ayres, ancien Ministre au Panama, Ministre plénipotentiaire, Délégué Plénipotentiaire;

M. James Brown Scott, Jurisconsulte du Département d'Etat des Affaires Etrangères, Délégué technique;

M. Charles Henry Butler, Rapporteur de la Cour Suprême, Délégué technique.

LA RÉPUBLIQUE L'ARGENTINE.

Son Exc. M. Roque Saenz Peña, ancien Ministre des Affaires Etrangères, Envoyé extraordinaire

Porter, ex-Ambassador at Paris, Ambassador Extraordinary, Delegate Plenipotentiary;

His Excellency Mr. Uriah M. Rose, Ambassador Extraordinary, Delegate Plenipotentiary;

His Excellency Mr. David Jayne Hill, ex-Assistant Secretary of State, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

Rear Admiral Charles S. Sperry, ex-President of the Naval War College, Minister Plenipotentiary, Delegate Plenipotentiary;

Brigadier General George B. Davis, Judge Advocate General of the United States Army, Minister Plenipotentiary, Delegate Plenipotentiary;

Mr. William I. Buchanan, ex-Minister at Buenos Ayres, ex-Minister at Panama, Minister Plenipotentiary, Delegate Plenipotentiary;

Mr. James Brown Scott, Solicitor for the Department of State, Technical Delegate;

Mr. Charles Henry Butler, Reporter of the Supreme Court, Technical Delegate.

THE ARGENTINE REPUBLIC.

His Excellency M. Roque Saenz Peña, ex-Minister for Foreign Affairs, Envoy Extraordinary and

et Ministre plénipotentiaire à Rome, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. Luis M. Drago, ancien Ministre des Affaires Etrangères, Député, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. Carlos Rodriguez Larreta, ancien Ministre des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

M. le Général Francisco Reynolds, Attaché militaire à Berlin, Délégué technique.

M. le Capitaine de Vaisseau Juan A. Martin, ancien Ministre de la Marine, Attaché naval à Londres, Délégué technique.

L'AUTRICHE-HONGRIE.

Son Exc. M. Gaëtan Mérey de Kapos-Mérey, Conseiller intime de Sa Majesté Impériale et Royale Apostolique, Ambassadeur extraordinaire et plénipotentiaire, Premier Délégué Plénipotentiaire;

Son Exc. le Baron Charles de Macchio, Envoyé extraordinaire et Ministre plénipotentiaire à Athènes, Second Délégué Plénipotentiaire;

M. Henri Lammasch, Professeur à l'Université de Vienne, Conseiller aulique, Membre de la Chambre des Seigneurs du Reichsrath autrichien, Membre de la Cour permanente d'Arbitrage, Délégué scientifique;

Minister Plenipotentiary at Rome, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency M. Luis M. Drago, ex-Minister for Foreign Affairs, Deputy, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency M. Carlos Rodriguez Larreta, ex-Minister for Foreign Affairs, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

General Francisco Reynolds, Military Attaché at Berlin, Technical Delegate;

Captain Juan A. Martin, ex-Minister of Marine, Naval Attaché at London, Technical Delegate.

AUSTRIA-HUNGARY.

His Excellency M. Gaëtan Mérey de Kapos-Mérey, Privy Councillor of His Imperial and Royal Apostolic Majesty, Ambassador Extraordinary and Plenipotentiary, First Delegate Plenipotentiary;

His Excellency Baron Charles de Macchio, Envoy Extraordinary and Minister Plenipotentiary at Athens, Second Delegate Plenipotentiary;

M. Henri Lammasch, Professor at the University of Vienna, Aulic Councillor, Member of the Austrian Upper Chamber of the Reichsrath, Member of the Permanent Court of Arbitration, Scientific Delegate;

M. Antoine Haus, Contre-Amiral, Délégué naval;

M. le Baron Wladimir Giesl de Gieslingen, Major-Général, Plénipotentiaire militaire à l'Ambassade Impériale et Royale à Constantinople et à la Légation Impériale et Royale à Athènes, Délégué militaire;

M. le Chevalier Othon de Weil, Conseiller aulique et ministériel au Ministère de la Maison Impériale et Royale et des Affaires Etrangères, Délégué;

M. Jules Szilassy de Szilas et Pilis, Conseiller de Légation, Délégué;

E. Emile Konek de Norwall, Lieutenant de Vaisseau de première classe, Délégué adjoint.

M. Antoine Haus, Rear Admiral, Naval Delegate;

Baron Wladimir Giesl de Gieslingen, Major General, Military Plenipotentiary at the Imperial and Royal Embassy at Constantinople and at the Imperial and Royal Legation at Athens, Military Delegate;

The Chevalier Othon de Weil, Aulic and Ministerial Councillor at the Ministry of the Imperial and Royal Household and of Foreign Affairs, Delegate;

M. Jules Szilassy de Szilas et Pilis, Councillor of Legation, Delegate;

M. Emile Konek de Norwall, Naval Lieutenant of the First Class, Delegate Attached.

LA BELGIQUE.

Son Exc. M. A. Beernaert, Ministre d'Etat, Membre de la Chambre des Représentants, Membre de l'Institut de France et des Académies Royales de Belgique et de Roumanie, Membre d'honneur de l'Institut de Droit international, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. J. van den Heuvel, Ministre d'Etat, ancien Ministre de la Justice, Délégué Plénipotentiaire;

Son Exc. le Baron Guillaume, Envoyé extraordinaire et Ministre

BELGIUM.

His Excellency M. A. Beernaert, Minister of State, Member of the Chamber of Representatives, Member of the Institute of France and of the Royal Academies of Belgium and Roumania, Honorary Member of the Institute of International Law, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency M. J. van den Heuvel, Minister of State, ex-Minister of Justice, Delegate Plenipotentiary;

His Excellency Baron Guillaume, Envoy Extraordinary and

plénipotentiaire à La Haye, Membre de l'Académie Royale de Roumanie, Délégué Plénipotentiaire.

Minister Plenipotentiary at The Hague, Member of the Royal Academy of Roumania, Delegate Plenipotentiary.

..

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Son Exc. M. Claudio Pinilla, Ministre des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. Fernando E. Guachalla, Ministre plénipotentiaire à Londres, Délégué Plénipotentiaire.

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His Excellency M. Claudio Pinilla, Minister for Foreign Affairs, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency M. Fernando E. Guachalla, Minister Plenipotentiary at London, Delegate Plenipotentiary.

LE BRÉSIL.

Son Exc. M. Ruy Barbosa, Ambassadeur extraordinaire et plénipotentiaire, Vice-Président du Sénat, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. Eduardo F. S. dos Santos Lisbôa, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

M. le Colonel Roberto Trompowsky Leitão de Almeida, Attaché militaire à La Haye, Délégué technique.

M. le Capitaine de Frégate Tancredo Burlamaqui de Moura, Délégué technique.

BRAZIL.

His Excellency M. Ruy Barbosa, Ambassador Extraordinary and Plenipotentiary, Vice-President of the Senate, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

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Colonel Roberto Trompowsky Leitão de Almeida, Military Attaché at The Hague, Technical Delegate;

Commander Tancredo Burlamaqui de Moura, Technical Delegate.

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Son Exc. The Honourable John W. Foster, ancien Secrétaire d'Etat au Département des Affaires

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M. Tchang Tching Tong, Secrétaire de Légation, Délégué adjoint;

M. Tchao-Hi-Tchiou, ancien Secrétaire de la Mission et de la Légation Impériale de Chine à Paris et à Rome, Délégué adjoint.

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M. Santiago Perez Triana, Délégué Plénipotentiaire;

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à Washington, Délégué Plénipotentiaire;

M. Manuel Sanguily, ancien Directeur de l'Institut d'enseignement secondaire de la Havane, Sénateur de la République, Délégué Plénipotentiaire.

LE DANEMARK.

Son Exc. M. C. Brun, Envoyé extraordinaire et Ministre plénipotentiaire à Washington, Premier Délégué Plénipotentiaire;

M. le Contre-Amiral C. F. Scheller, Deuxième Délégué Plénipotentiaire;

M. A. Vedel, Chambellan, Chef de Section au Ministère Royal des Affaires Etrangères, Troisième Délégué Plénipotentiaire.

LA RÉPUBLIQUE DOMINICAINE.

M. Francisco Henriquez i Carvajal, ancien Ministre des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

M. Apolinar Tejera, Recteur de l'Institut Professionnel de Saint Domingue, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire.

LA RÉPUBLIQUE DE L'ÉQUATEUR.

Son Exc. M. Victor Rendón, Envoyé extraordinaire et Ministre plénipotentiaire à Paris et à Madrid, Délégué Plénipotentiaire;

tentiary at Washington, Delegate Plenipotentiary;

M. Manuel Sanguily, ex-Director of the Institute of Secondary Education at Havana, Senator of the Republic, Delegate Plenipotentiary.

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His Excellency M. C. Brun, Envoy Extraordinary and Minister Plenipotentiary at Washington, First Delegate Plenipotentiary;

Rear Admiral C. F. Scheller, Second Delegate Plenipotentiary;

M. A. Vedel, Chamberlain, Head of Department at the Royal Ministry for Foreign Affairs, Third Delegate Plenipotentiary.

THE DOMINICAN REPUBLIC.

M. Francisco Henriquez i Carvajal, ex-Minister for Foreign Affairs, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

M. Apolinar Tejera, Rector of the Professional Institute of Santo Domingo, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary.

THE REPUBLIC OF ECUADOR.

His Excellency M. Victor Rendón, Envoy Extraordinary and Minister Plenipotentiary at Paris and Madrid, Delegate Plenipotentiary;

M. Enrique Dorn y de Alsúa,
Chargé d'Affaires, Délégué Plénipotentiaire.

M. Enrique Dorn y de Alsúa,
Chargé d'Affaires, Delegate Plenipotentiary.

L'ESPAGNE.

Son Exc. M. W. R. de Villa-Urrutia, Sénateur, ancien Ministre des Affaires Etrangères, Ambassadeur extraordinaire et plénipotentiaire à Londres, Premier Délégué Plénipotentiaire;

Son Exc. M. José de la Rica y Calvo, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

M. Gabriel Maura y Gamazo, Comte de la Mortera, Député aux Cortès, Délégué Plénipotentiaire;

M. J. Jofre Montojo, Colonel d'Etat Major, Aide de Camp du Ministre de la Guerre, Délégué adjoint militaire;

M. le Capitaine de Vaisseau Francisco Chacon, Délégué adjoint naval.

LA FRANCE.

Son Exc. M. Léon Bourgeois, Ambassadeur extraordinaire, Sénateur, ancien Président du Conseil, ancien Ministre des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué, premier Plénipotentiaire;

M. le Baron d'Estournelles de Constant, Sénateur, Ministre plénipotentiaire de première Classe,

SPAIN.

His Excellency M. W. R. de Villa-Urrutia, Senator, ex-Minister for Foreign Affairs, Ambassador Extraordinary and Plenipotentiary at London, First Delegate Plenipotentiary;

His Excellency M. José de la Rica y Calvo, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

M. Gabriel Maura y Gamazo, Count de la Mortera, Deputy to the Cortes, Delegate Plenipotentiary;

M. J. Jofre Montojo, Colonel on the Staff, Aide-de-Camp to the Minister of War, Assistant Military Delegate;

Captain Francisco Chacon, Assistant Naval Delegate.

FRANCE.

His Excellency M. Léon Bourgeois, Ambassador Extraordinary, Senator, ex-President of the Council, ex-Minister for Foreign Affairs, Member of the Permanent Court of Arbitration, First Plenipotentiary;

Baron d'Estournelles de Constant, Senator, Minister Plenipotentiary of the First Class, Member

Membre de la Cour permanente d'Arbitrage, Délégué, deuxième Plénipotentiaire;

M. Louis Renault, Professeur à la Faculté de Droit de Paris, Ministre plénipotentiaire honoraire, Jurisconsulte du Ministère des Affaires Etrangères, Membre de l'Institut, Membre de la Cour permanente d'Arbitrage, Délégué, troisième Plénipotentiaire;

Son Exc. M. Marcellin Pellet, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué, quatrième Plénipotentiaire;

M. le Général de Division Amourel, Délégué militaire;

M. le Contre-Amiral Arago, Délégué de la Marine;

M. Fromageot, Avocat à la Cour d'Appel de Paris, Délégué technique;

M. le Capitaine de Vaisseau Lacaze, deuxième Délégué de la Marine.

M. le Lieutenant-Colonel Siben, Attaché militaire à Bruxelles et à La Haye, deuxième Délégué militaire;

of the Permanent Court of Arbitration, Delegate, Second Plenipotentiary;

M. Louis Renault, Professor at the Faculty of Law at Paris, Honorary Minister Plenipotentiary, Legal Adviser to the Ministry for Foreign Affairs, Member of the Institute, Member of the Permanent Court of Arbitration, Delegate, Third Plenipotentiary;

His Excellency M. Marcellin Pellet, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate, Fourth Plenipotentiary;

General of Division Amourel, Military Delegate;

Rear Admiral Arago, Naval Delegate;

M. Fromageot, Advocate at the Court of Appeal at Paris, Technical Delegate;

Captain Lacaze, Second Naval Delegate;

Lieutenant Colonel Siben, Military Attaché at Brussels and The Hague, Second Military Delegate.

LA GRANDE-BRETAGNE.

Son Exc. The Right Honourable Sir Edward Fry, G. C. B., Membre du Conseil privé, Ambassadeur extraordinaire, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

GREAT BRITAIN.

His Excellency the Right Honourable Sir Edward Fry, G. C. B., Member of the Privy Council, Ambassador Extraordinary, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

Son Exc. The Right Honourable Sir Ernest Mason Satow, G. C. M. G., Membre du Conseil privé, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. The Right Honourable Lord Reay, G. C. S. I., G. C. I. E., Membre du Conseil privé, ancien Président de l'Institut de Droit international, Délégué Plénipotentiaire;

Son Exc. Sir Henry Howard, K. C. M. G., C. B., Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

M. le Général de Division Sir Edmond R. Elles, G. C. I. E., K. C. B., Délégué militaire;

M. le Capitaine de Vaisseau C. L. Ottley, M. V. O., R. N., A. D. C., Délégué naval;

M. Eyre Crowe, Conseiller d'Ambassade, Délégué technique, premier Secrétaire de la Délégation;

M. Cecil Hurst, Conseiller d'Ambassade, Délégué technique, Conseiller légal de la Délégation;

M. le Lieutenant-Colonel, The Honourable Henry Yarde-Buller, D. S. O., Attaché militaire à La Haye, Délégué technique;

M. le Capitaine de Frégate J. R. Segrave, R. N., Délégué technique.

M. le Commandant George K. Cockerill, chef de section à l'Etat-Major de l'Armée, Délégué technique.

His Excellency the Right Honourable Sir Ernest Mason Satow, G. C. M. G., Member of the Privy Council, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency the Right Honourable Lord Reay, G. S. C. I., G. C. I. E., Member of the Privy Council, ex-President of the Institute of International Law, Delegate Plenipotentiary;

His Excellency Sir Henry Howard, K. C. M. G., C. B., Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

Lieutenant General Sir Edmond R. Elles, G. C. I. E., K. C. B., Military Delegate;

Captain C. L. Ottley, M. V. O., R. N., A. D. C., Naval Delegate;

Mr. Eyre Crowe, Councillor of Embassy, Technical Delegate, First Secretary to the delegation;

Mr. Cecil Hurst, Councillor of Embassy, Technical Delegate, Legal Adviser to the delegation;

Lieutenant Colonel the Honourable Henry Yarde-Buller, D. S. O., Military Attaché at The Hague, Technical Delegate;

Commander J. R. Segrave, R. N., Technical Delegate;

Major George K. Cockerill, General Staff, Technical Delegate.

LA GRÈCE.

Son Exc. M. Cléon Rizo Rangabé, Envoyé extraordinaire et Ministre plénipotentiaire à Berlin, Premier Délégué Plénipotentiaire;

M. Georges Streit, Professeur de Droit International à l'Université d'Athènes, Membre de la Cour permanente d'Arbitrage, Second Délégué Plénipotentiaire;

M. le Colonel d'artillerie C. Sapountzakis, Chef de l'Etat-Major Général, Délégué technique.

GREECE.

His Excellency M. Cléon, Rizo Rangabé, Envoy Extraordinary and Minister Plenipotentiary at Berlin, First Delegate Plenipotentiary;

M. Georges Streit, Professor of International Law at the University of Athens, Member of the Permanent Court of Arbitration, Second Delegate Plenipotentiary;

Colonel of Artillery C. Sapountzakis, Chief of the General Staff, Technical Delegate.

LE GUATÉMALA.

M. José Tible Machado, Chargé d'Affaires à La Haye et à Londres, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

M. Enrique Gomez Carrillo, Chargé d'Affaires à Berlin, Délégué Plénipotentiaire.

GUATEMALA.

M. José Tible Machado, Chargé d'Affaires at The Hague and London, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

M. Enrique Gomez Carrillo, Chargé d'Affaires at Berlin, Delegate Plenipotentiary.

LA RÉPUBLIQUE D'HAÏTI.

Son Exc. M. Jean Joseph Dalbémard, Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Délégué Plénipotentiaire;

Son Exc. M. J. N. Léger, Envoyé extraordinaire et Ministre plénipotentiaire à Washington, Délégué Plénipotentiaire;

M. Pierre Hudicourt, ancien Professeur de Droit International Public, Avocat du Barreau de Port-au-Prince, Délégué Plénipotentiaire;

THE REPUBLIC OF HAITI.

His Excellency M. Jean Joseph Dalbémard, Envoy Extraordinary and Minister Plenipotentiary at Paris, Delegate Plenipotentiary;

His Excellency M. J. N. Léger, Envoy Extraordinary and Minister Plenipotentiary at Washington, Delegate Plenipotentiary;

M. Pierre Hudicourt, ex-Professor of International Public Law, Advocate at the Bar of Port-au-Prince, Delegate Plenipotentiary.

L'ITALIE.

Son Exc. le Comte Joseph Tornielli Brusati di Vergano, Sénateur du Royaume, Ambassadeur de Sa Majesté le Roi à Paris, Membre de la Cour permanente d'Arbitrage, Président de la Délégation Italienne, Délégué Plénipotentiaire;

Son Exc. M. Guido Pompilj, Député au Parlement, Sous-Secrétaire d'Etat au Ministère Royal des Affaires Etrangères, Délégué Plénipotentiaire.

M. Guido Fusinato, Conseiller d'Etat, Député au Parlement, ancien Ministre de l'Instruction, Délégué Plénipotentiaire;

M. Marius Nicolis de Robilant, Général de Brigade, Délégué technique;

M. François Castiglia, Capitaine de Vaisseau, Délégué technique.

LE JAPON.

Son Exc. M. Keiroku Tsudzuki, Ambassadeur extraordinaire et plénipotentiaire, premier Délégué Plénipotentiaire;

Son Exc. M. Aimaro Sato, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, second Délégué Plénipotentiaire;

M. Henry Willard Denison, Jurisconsulte du Ministère Impérial des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué technique;

ITALY.

His Excellency Count Joseph Tornielli Brusati di Vergano, Senator of the Kingdom, Ambassador of His Majesty the King at Paris, Member of the Permanent Court of Arbitration, President of the Italian delegation, Delegate Plenipotentiary;

His Excellency M. Guido Pompilj, Parliamentary Deputy, Under-Secretary of State at the Royal Ministry for Foreign Affairs, Delegate Plenipotentiary;

M. Guido Fusinato, Councillor of State, Parliamentary Deputy, ex-Minister of Education, Delegate Plenipotentiary;

M. Marius Nicolis de Robilant, General of Brigade, Technical Delegate;

M. François Castiglia, Captain in the Navy, Technical Delegate.

JAPAN.

His Excellency M. Keiroku Tsudzuki, Ambassador Extraordinary and Plenipotentiary, First Delegate Plenipotentiary;

His Excellency M. Aimaro Sato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Second Delegate Plenipotentiary;

M. Henry Willard Denison, Legal Adviser to the Imperial Ministry for Foreign Affairs, Member of the Permanent Court of Arbitration, Technical Delegate;

M. le Major-Général Yoshifuru Akiyama, Inspecteur de la Cavalerie, Délégué technique;

M. le Contre-Amiral Hayao Shimamura, Président de l'Ecole de la Marine à Etajima, Délégué technique.

Major General Yoshifuru Akiyama, Inspector of Cavalry, Technical Delegate;

Rear Admiral Hayao Shimamura, President of the Naval College at Etajima, Technical Delegate.

LE LUXEMBOURG.

Son Exc. M. Eyschen, Ministre d'Etat, Président du Gouvernement Grand-Ducal, Délégué Plénipotentiaire;

M. le Comte de Villers, Chargé d'Affaires à Berlin, Délégué Plénipotentiaire.

LUXEMBURG.

His Excellency M. Eyschen, Minister of State, President of the Grand-Ducal Government, Delegate Plenipotentiary;

Count de Villers, Chargé d'Affaires at Berlin, Delegate Plenipotentiary.

LE MEXIQUE.

Son Exc. M. Gonzalo A. Esteva, Envoyé extraordinaire et Ministre plénipotentiaire à Rome, premier Délégué Plénipotentiaire;

Son Exc. M. Sebastian B. de Mier, Envoyé extraordinaire et Ministre plénipotentiaire à Paris, deuxième Délégué Plénipotentiaire;

Son Exc. M. Francisco L. de la Barra, Envoyé extraordinaire et Ministre plénipotentiaire à Bruxelles et à La Haye, troisième Délégué Plénipotentiaire.

MEXICO.

His Excellency M. Gonzalo A. Esteva, Envoy Extraordinary and Minister Plenipotentiary at Rome, First Delegate Plenipotentiary;

His Excellency M. Sebastian B. de Mier, Envoy Extraordinary and Minister Plenipotentiary at Paris, Second Delegate Plenipotentiary;

His Excellency M. Francisco L. de la Barra, Envoy Extraordinary and Minister Plenipotentiary at Brussels and at The Hague, Third Delegate Plenipotentiary.

LE MONTÉNÉGRO.

Son Exc. M. Nelidow, Conseiller Privé Actuel, Ambassadeur de Russie à Paris, Délégué Plénipotentiaire;

MONTENEGRO.

His Excellency M. Nelidow, Privy Councillor, Russian Ambassador at Paris, Delegate Plenipotentiary;

Son Exc. M. de Martens, Conseiller Privé, Membre permanent du Conseil du Ministère Impérial des Affaires Etrangères de Russie, Délégué Plénipotentiaire;

Son Exc. M. Tcharykow, Conseiller d'Etat Actuel, Chambellan, Envoyé extraordinaire et Ministre plénipotentiaire de Russie à La Haye, Délégué Plénipotentiaire.

His Excellency M. de Martens, Privy Councillor, Permanent Member of the Council of the Imperial Russian Ministry for Foreign Affairs, Delegate Plénipotentary;

His Excellency M. Tcharykow, Councillor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary of Russia at The Hague, Delegate Plénipotentary.

LE NICARAGUA.

Son Exc. M. Crisanto Medina, Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Délégué Plénipotentiaire.

NICARAGUA.

His Excellency M. Crisanto Medina, Envoy Extraordinary and Minister Plenipotentiary at Paris, Delegate Plénipotentary.

LA NORVÈGE.

Son Exc. M. Francis Hagerup, ancien Président du Conseil, ancien Professeur de Droit, Membre de la Cour permanente d'Arbitrage, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye et à Copenhague, Délégué Plénipotentiaire;

M. Joachim Grieg, Armateur et Député, Délégué technique;

M. Christian Lous Lange, Secrétaire du Comité Nobel du Storting Norvégien, Délégué technique.

NORWAY.

His Excellency M. Francis Hagerup, ex-President of the Council, ex-Professor of Law, Member of the Permanent Court of Arbitration, Envoy Extraordinary and Minister Plenipotentiary at The Hague and Copenhagen, Delegate Plénipotentary;

M. Joachim Grieg, Shipowner and Deputy, Technical Delegate;

M. Christian Lous Lange, Secretary to the Nobel Committee of the Norwegian Storting, Technical Delegate.

LE PANAMA.

M. Belisario Porras, Délégué Plénipotentiaire.

PANAMA.

M. Belisario Porras, Delegate Plénipotentary.

LE PARAGUAY.

Son Exc. M. Eusebio Machain, Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Délégué Plénipotentiaire.

LES PAYS-BAS.

M. W. H. de Beaufort, ancien Ministre des Affaires Etrangères, Membre de la Seconde Chambre des Etats-Généraux, Délégué Plénipotentiaire;

Son Exc. M. T. M. C. Asser, Ministre d'Etat, Membre du Conseil d'Etat, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. le Jonkheer J. C. C. Den Beer Poortugael, Lieutenant-Général en retraite, ancien Ministre de la Guerre, Membre du Conseil d'Etat, Délégué Plénipotentiaire;

Son Exc. le Jonkheer J. A. Röell, Aide de Camp de Sa Majesté la Reine en service extraordinaire, Vice-Amiral en retraite, ancien Ministre de la Marine, Délégué Plénipotentiaire;

M. J. A. Loeff, ancien Ministre de la Justice, Membre de la Seconde Chambre des Etats-Généraux, Délégué Plénipotentiaire;

M. H. L. van Oordt, Lieutenant-Colonel de l'Etat-major, Professeur à l'Ecole supérieure militaire, Délégué technique;

M. le Jonkheer W. J. M. van

PARAGUAY.

His Excellency M. Eusebio Machain, Envoy Extraordinary and Minister Plenipotentiary at Paris, Delegate Plenipotentiary.

THE NETHERLANDS.

M. W. H. de Beaufort, ex-Minister for Foreign Affairs, Member of the Second Chamber of the States-General, Delegate Plenipotentiary;

His Excellency M. T. M. C. Asser, Minister of State, Member of the Council of State, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency Jonkheer J. C. C. Den Beer Poortugael, Lieutenant-General on the retired list, ex-Minister of War, Member of the Council of State, Delegate Plenipotentiary;

His Excellency Jonkheer J. A. Röell, Aide-de-Camp to Her Majesty the Queen in Extraordinary Service, Vice-Admiral on the retired list, ex-Minister of Marine, Delegate Plenipotentiary;

Mr. J. A. Loeff, ex-Minister of Justice, Member of the Second Chamber of the States-General, Delegate Plenipotentiary;

M. H. L. van Oordt, Lieutenant-Colonel on the Staff, Professor at the Higher Military College, Technical Delegate;

M. Jonkheer W. J. M. van

Eysinga, Chef de la Direction politique au Ministère des Affaires Etrangères, Délégué adjoint;

M. le Jonkheer. H. A. van Karnebeek, Gentilhomme de la Chambre, Sous-Chef de Division au Ministère des Colonies, Délégué adjoint;

M. H. G. Surie, Lieutenant de Vaisseau de première classe, Délégué technique.

LE PÉROU.

Son Exc. M. Carlos G. Candamo, Envoyé extraordinaire et Ministre plénipotentiaire à Paris et à Londres, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

M. Gustavo de la Fuente, Premier Secrétaire de Légation à Paris, Délégué adjoint.

LA PERSE.

Son Exc. Samad Khan Momtas-es-Saltaneh, Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Membre de la Cour permanente d'Arbitrage, Délégué, premier Plénipotentiaire;

Son Exc. Mirza Ahmed Khan Sadig ul Mulk, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

M. Hennebicq, Jurisconsulte du Ministère des Affaires Etrangères à Téhéran, Délégué technique.

Eysinga, Head of the Political Section at the Ministry for Foreign Affairs, Assistant Delegate;

M. Jonkheer H. A. van Karnebeek, Gentleman of the Chamber, Assistant Head of Department of the Colonial Office, Assistant Delegate;

M. H. G. Surie, Naval Lieutenant of the First Class, Technical Delegate.

PERU.

His Excellency M. Carlos G. Candamo, Envoy Extraordinary and Minister Plenipotentiary at Paris and London, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

M. Gustavo de la Fuente, First Secretary of Legation at Paris, Assistant Delegate.

PERSIA.

His Excellency Samad Khan Momtas-es-Saltaneh, Envoy Extraordinary and Minister Plenipotentiary at Paris, Member of the Permanent Court of Arbitration, Delegate, First Plenipotentiary;

His Excellency Mirza Ahmed Khan Sadig-ul-Mulkh, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

M. Hennebicq, Legal Adviser to the Ministry for Foreign Affairs at Teheran, Technical Delegate.

LE PORTUGAL.

Son Exc. le Marquis de Soveral, Conseiller d'Etat, Pair du Royaume, ancien Ministre des Affaires Etrangères, Envoyé extraordinaire et Ministre plénipotentiaire à Londres, Ambassadeur extraordinaire et plénipotentiaire, Délégué Plénipotentiaire;

Son Exc. le Comte de Sélir, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué Plénipotentiaire;

Son Exc. M. Alberto d'Oliveira, Envoyé extraordinaire et Ministre plénipotentiaire à Berne, Délégué Plénipotentiaire;

M. le Lieutenant-Colonel d'Etat-Major Thomaz Antonio Garcia Rosado, Délégué technique;

M. Guilherme Ivens Ferraz, Capitaine-lieutenant de la Marine, Délégué technique.

PORTUGAL.

His Excellency the Marquis de Soveral, Councillor of State, Peer of the Realm, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at London, Ambassador Extraordinary and Plenipotentiary, Delegate Plenipotentiary;

His Excellency Count de Sélir, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

His Excellency M. Alberto d'Oliveira, Envoy Extraordinary and Minister Plenipotentiary at Berne, Delegate Plenipotentiary;

Lieutenant Colonel Thomaz Antonio Garcia Rosado, General Staff, Technical Delegate;

M. Guilherme Ivens Ferraz, Lieutenant Commander in the Navy, Technical Delegate.

LA ROUMANIE.

Son Exc. M. Alexandre Beldiman, Envoyé extraordinaire et Ministre plénipotentiaire à Berlin, premier Délégué Plénipotentiaire;

Son Exc. M. Edgard Mavrocordato, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, second Délégué Plénipotentiaire;

M. le Capitaine Alexandre Sturdza, du Grand Etat-major, Délégué technique.

ROUMANIA.

His Excellency M. Alexandre Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin, First Delegate Plenipotentiary;

His Excellency M. Edgard Mavrocordato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Second Delegate Plenipotentiary;

Captain Alexandre Sturdza, General Staff, Technical Delegate.

LA RUSSIE.

Son Exc. M. Nelidow, Conseiller Privé Actuel, Ambassadeur de Russie à Paris, Délégué Plénipotentiaire;

Son Exc. M. de Martens, Conseiller Privé, Membre permanent du Conseil du Ministère Impérial des Affaires Etrangères, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

Son Exc. M. Tcharykow, Conseiller d'Etat Actuel, Chambellan, Envoyé extraordinaire et Ministre plénipotentiaire à La Haye, Délégué, Plénipotentiaire;

M. Prozor, Conseiller d'Etat Actuel, Chambellan, Ministre de Russie à Rio-Janeiro, Délégué technique;

M. le Major-Général Yermolow, Attaché militaire à Londres, Délégué technique;

M. le Colonel Michelson, Attaché militaire à Berlin, Délégué technique;

M. le Capitaine de Vaisseau Behr, Attaché naval à Londres, Délégué technique;

M. le Colonel de l'Amirauté Ovtchinnikow, Professeur de Droit international à l'Académie de la Marine, Délégué technique.

LE SALVADOR.

M. Pedro J. Matheu, Chargé d'Affaires à Paris, Membre de la

RUSSIA.

His Excellency M. Nelidow, Privy Councillor, Russian Ambassador at Paris, Delegate Plenipotentiary;

His Excellency M. de Martens, Privy Councillor, Permanent Member of the Council of the Imperial Ministry for Foreign Affairs, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

His Excellency M. Tcharykow, Councillor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary at The Hague, Delegate Plenipotentiary;

M. Prozor, Councillor of State, Chamberlain, Russian Minister at Rio de Janeiro, Technical Delegate;

Major General Yermolow, Military Attaché at London, Technical Delegate;

Colonel Michelson, Military Attaché at Berlin, Technical Delegate;

Captain Behr, Naval Attaché at London, Technical Delegate;

Colonel Ovtchinnikow, of the Admiralty, Professor of International Law at the Naval Academy, Technical Delegate.

SALVADOR.

M. Pedro J. Matheu, Chargé d'Affaires at Paris, Member of the

Cour permanente d'Arbitrage,
Délégué Plénipotentiaire;

M. Santiago Perez Triana,
Chargé d'Affaires à Londres, Mem-
bre de la Cour permanente d'Arbi-
trage, Délégué Plénipotentiaire.

LA SERBIE.

Son Exc. le Général Sava
Grouitch, Président du Conseil
d'Etat, Délégué Plénipotentiaire;

Son Exc. M. Milovan Milovano-
vitch, Envoyé extraordinaire et
Ministre plénipotentiaire à Rome,
Membre de la Cour permanente
d'Arbitrage, Délégué Plénipoten-
tiaire;

Son Exc. M. Michel Militché-
vitch, Envoyé extraordinaire et
Ministre plénipotentiaire à Londres
et à La Haye, Délégué Plénipo-
tentiaire.

LE SIAM.

M. le Major-Général Mom
Chatidej Udom, Délégué Pléni-
potentiaire;

M. Corragioni d'Orelli, Con-
seiller de Légation à Paris, Délé-
gué Plénipotentiaire;

M. le Capitaine Luang Bhuva-
narth Narübal, Délégué Plénipo-
tentiaire.

LA SUEDE.

Son Exc. M. Knut Hjalmar
Leonard de Hammarskjöld, En-
voyé extraordinaire et Ministre

Permanent Court of Arbitration,
Delegate Plenipotentiary;

M. Santiago Perez Triana,
Chargé d'Affaires at London, Mem-
ber of the Permanent Court of
Arbitration, Delegate Plenipoten-
tiary.

SERVIA.

His Excellency General Sava
Grouitch, President of the Council
of State, Delegate Plenipotentiary;

His Excellency M. Milovan
Milovanovitch, Envoy Extraordi-
nary and Minister Plenipotentiary
at Rome, Member of the Perma-
nent Court of Arbitration, Dele-
gate Plenipotentiary;

His Excellency M. Michel
Militchévitch, Envoy Extraordi-
nary and Minister Plenipotentiary
at London and The Hague, Dele-
gate Plenipotentiary.

SIAM.

Major General Mom Chatidej
Udom, Delegate Plenipotentiary;

M. Corragioni d'Orelli, Coun-
cillor of Legation at Paris, Dele-
gate Plenipotentiary;

Captain Luang Bhuvanarth
Narübal, Delegate Plenipotentiary.

SWEDEN.

His Excellency M. Knut Hjal-
mar Leonard de Hammarskjöld,
Envoy Extraordinary and Minister

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plénipotentiaire à Copenhague, ancien Ministre de la Justice, Membre de la Cour permanente d'Arbitrage, premier Délégué Plénipotentiaire;

M. Johannes Hellner, ancien Ministre sans Portefeuille, ancien Membre de la Cour Suprême de Suède, Membre de la Cour permanente d'Arbitrage, second Délégué Plénipotentiaire;

M. le Colonel David Hedengren, Chef d'un régiment d'artillerie, Délégué technique;

M. Gustaf de Klint, Capitaine de Frégate, Chef de Section à l'Etat-major de la Marine Royale, Délégué technique.

LA SUISSE.

Son Exc. M. Gaston Carlin, Envoyé extraordinaire et Ministre plénipotentiaire à Londres et à La Haye, Délégué Plénipotentiaire;

M. Eugène Borel, Colonel d'Etat-Major Général, Professeur à l'Université de Genève, Délégué Plénipotentiaire;

M. Max Huber, Professeur de Droit à l'Université de Zürich, Délégué Plénipotentiaire.

LA TURQUIE.

Son Exc. Turkhan Pacha, Ambassadeur extraordinaire, Ministre de l'Evkaf, premier Délégué Plénipotentiaire;

Plenipotentiary at Copenhagen, ex-Minister of Justice, Member of the Permanent Court of Arbitration, First Delegate Plenipotentiary;

M. Johannes Hellner, ex-Minister without Portfolio, ex-Member of the Supreme Court of Sweden, Member of the Permanent Court of Arbitration, Second Delegate Plenipotentiary;

Colonel David Hedengren, Commanding a Regiment of Artillery, Technical Delegate;

Commander Gustaf de Klint, Head of a Section on the Staff of the Royal Navy, Technical Delegate.

SWITZERLAND.

His Excellency M. Gaston Carlin, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, Delegate Plenipotentiary;

M. Eugène Borel, Colonel on the General Staff, Professor at the University of Geneva, Delegate Plenipotentiary;

M. Max Huber, Professor of Law at the University of Zurich, Delegate Plenipotentiary.

TURKEY.

His Excellency Turkhan Pasha, Ambassador Extraordinary, Minister of the Evkaf, First Delegate Plenipotentiary;

Son Exc. Réchid Bey, Ambassadeur de Turquie à Rome, Délégué Plénipotentiaire;

Son Exc. le Vice-Amiral Mehemmed Pacha, Délégué Plénipotentiaire;

Raïf Bey, Conseiller légiste de la Liste Civile, Délégué adjoint;

Le Colonel d'Etat-Major Mehmed Saïd Bey, Délégué adjoint.

His Excellency Réchid Bey, Turkish Ambassador at Rome, Delegate Plenipotentiary;

His Excellency Vice Admiral Mehemmed Pasha, Delegate Plenipotentiary;

Raïf Bey, Legal Advisor on the Civil List, Assistant Delegate;

Colonel on the Staff Mehmed Saïd Bey, Assistant Delegate.

L'URUGUAY.

M. José Batlle y Ordonez, ancien Président de la République, Membre de la Cour permanente d'Arbitrage, premier Délégué Plénipotentiaire;

Son Exc. M. Juan P. Castro, ancien Président du Sénat, Envoyé extraordinaire et Ministre Plénipotentiaire à Paris, Membre de la Cour permanente d'Arbitrage, Délégué Plénipotentiaire;

M. le Colonel Sebastian Buquet, Premier Chef de régiment d'artillerie de campagne, Délégué technique.

URUGUAY.

M. José Batlle y Ordonez, ex-President of the Republic, Member of the Permanent Court of Arbitration, First Delegate Plenipotentiary;

His Excellency M. Juan P. Castro, ex-President of the Senate, Envoy Extraordinary and Minister Plenipotentiary at Paris, Member of the Permanent Court of Arbitration, Delegate Plenipotentiary;

Colonel Sebastian Buquet, Commanding a Regiment of Field Artillery, Technical Delegate.

LES ETATS-UNIS DU VÉNÉZUÉLA.

M. José Gil Fortoul, Chargé d'Affaires à Berlin, Délégué Plénipotentiaire.

Dans une série de réunions, tenues du 15 juin au 18 octobre 1907, où les Délégués précités ont été constamment animés du désir réaliser, dans la plus large mesure

VENEZUELA.

M. José Gil Fortoul, Chargé d'Affaires at Berlin, Delegate Plenipotentiary.

In a series of sittings, from June 15 to October 18, 1907, in which the delegates were constantly animated by a desire to realize, in the broadest possible

possible, les vues généreuses de l'Auguste Initiateur de la Conférence et les intentions de leurs Gouvernements, la Conférence a arrêté, pour être soumis à la signature des Plénipotentiaires, le texte des Conventions et de la Déclaration énumérées ci-après et annexées au présent Acte :

- I. Convention pour le règlement pacifique des conflits internationaux.
- II. Convention concernant la limitation de l'emploi de la force pour le recouvrement de dettes contractuelles.
- III. Convention relative à l'ouverture des hostilités.
- IV. Convention concernant les lois et coutumes de la guerre sur terre.
- V. Convention concernant les droits et les devoirs des Puissances et des personnes neutres en cas de guerre sur terre.
- VI. Convention relative au régime des navires de commerce ennemis au début des hostilités.
- VII. Convention relative à la transformation des navires de commerce en bâtiments de guerre.
- VIII. Convention relative à la pose de mines sous-marines automatiques de contact.

measure, the generous views of the august initiator of the conference as well as the intentions of their governments, the conference has drawn up, for the signature of the plenipotentiaries, the text of the conventions and the declaration hereinbelow enumerated and annexed to the present act :

- I. Convention for the pacific settlement of international disputes.
- II. Convention respecting the limitation of the employment of force for the recovery of contractual debts.
- III. Convention relative to the opening of hostilities.
- IV. Convention regarding the laws and customs of land warfare.
- V. Convention regarding the rights and duties of neutral powers and persons in case of war on land.
- VI. Convention relative to the status of enemy merchant ships at the outbreak of hostilities.
- VII. Convention relative to the conversion of merchant ships into war ships.
- VIII. Convention relative to the laying of submarine mines.

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| <p>IX. Convention concernant le bombardement par des forces navales en temps de guerre.</p> <p>X. Convention pour l'adaptation à la guerre maritime des principes de la Convention de Genève.</p> <p>XI. Convention relative à certaines restrictions à l'exercice du droit de capture dans la guerre maritime.</p> <p>XII. Conventions relative à l'établissement d'une Cour internationale des prises.</p> <p>XIII. Convention concernant les droits et les devoirs des Puissances neutres en cas de guerre maritime.</p> <p>XIV. Déclaration relative à l'interdiction de lancer des projectiles et des explosifs du haut de ballons.</p> | <p>IX. Convention respecting bombardments by naval forces in time of war.</p> <p>X. Convention for the adaptation of the principles of the Geneva Convention to maritime warfare.</p> <p>XI. Convention relative to certain restrictions on the exercise of the right of capture in maritime war.</p> <p>XII. Convention relative to the establishment of an international prize court.</p> <p>XIII. Convention respecting the rights and duties of neutral powers in naval war.</p> <p>XIV. Declaration prohibiting the discharge of projectiles and explosives from balloons.</p> |
|--|---|

Ces Conventions et cette Déclaration formeront autant d'actes séparés. Ces actes porteront la date de ce jour et pourront être signés jusqu'au 30 juin 1908 à La Haye par les Plénipotentiaires des Puissances représentées à la Deuxième Conférence de la Paix.

La Conférence, se conformant à l'esprit d'entente et de concessions réciproques qui est l'esprit même de ses délibérations, a arrêté la déclaration suivante qui, tout en réservant

These conventions and declaration will constitute an equal number of separate acts. These acts shall bear date of this day and may be signed until the 30th of June, 1908, by the plenipotentiaries of the powers represented at the Second Peace Conference at The Hague.

The conference, conforming to the spirit of good understanding and reciprocal concessions which is the very spirit of its deliberations, has drawn up the following

à chacune des Puissances représentées le bénéfice de ses votes, leur permet à toutes d'affirmer les principes qu'Elles considèrent comme unanimement reconnus:

Elle est unanime,

1°. A reconnaître le principe de l'arbitrage obligatoire;

2°. A déclarer que certains différends, et notamment ceux relatifs à l'interprétation et à l'application des stipulations conventionnelles internationales, sont susceptibles d'être soumis à l'arbitrage obligatoire sans aucune restriction.

Elle est unanime enfin à proclamer que, s'il n'a pas été donné de conclure dès maintenant une Convention en ce sens, les divergences d'opinion que se sont manifestées n'ont pas dépassé les limites d'une controverse juridique, et qu'en travaillant ici ensemble pendant quatre mois, toutes les Puissances du monde, non seulement ont appris à se comprendre et à se rapprocher davantage, mais ont su dégager, au cours de cette longue collaboration, un sentiment très élevé du bien commun de l'humanité.

En outre, la Conférence a adopté à l'unanimité la Résolution suivante:

La Deuxième Conférence de la Paix confirme la Résolution

declaration, which, while reserving to each one of the powers represented the benefit of its votes, permits them all to affirm the principles which they consider to have been unanimously accepted.

It is unanimous:

1st. In accepting the principle of obligatory arbitration.

2d. In declaring that certain differences, and notably those relating to the interpretation and application of international conventional stipulations, are susceptible of being submitted to obligatory arbitration without any restriction.

It is also unanimous in proclaiming that while it was not feasible to conclude immediately a convention in that sense, the divergences of opinion that have been expressed have not gone beyond the bounds of a juridical controversy, and that by laboring here together during four months all the powers of the world have not only learned to know one another and come closer together, but have succeeded in evolving, in the course of this long collaboration, a very high sense of the common good of mankind.

The conference further adopted by a unanimous vote the following resolution:

The Second Peace Conference confirms the resolution adopted by

adoptée par la Conférence de 1899 à l'égard de la limitation des charges militaires; et, vu que les charges militaires se sont considérablement accrues dans presque tous les pays depuis ladite année, la Conférence déclare qu'il est hautement désirable de voir les Gouvernements reprendre l'étude sérieuse de cette question.

Elle a, de plus émis les Voeux suivants:

1°. La Conférence recommande aux Puissances signataires l'adoption du projet ci-annexé de Convention pour l'établissement d'une Cour de Justice arbitrale, et sa mise en vigueur dès qu'un accord sera intervenu sur le choix des juges et la constitution de la Cour.

2°. La Conférence émet le voeu qu'en cas de guerre, les autorités compétentes, civiles et militaires, se fassent un devoir tout spécial d'assurer et de protéger le maintien des rapports pacifiques et notamment des relations commerciales et industrielles entre les populations des Etats belligérants et les pays neutres.

3°. La Conférence émet le voeu que les Puissances règlent, par des Conventions particulières, la situation, au point de vue des charges militaires, des étrangers établis sur leurs territoires.

the conference of 1899 in regard to the limitation of military burdens; and in view of the fact that military burdens have considerably increased in nearly all countries since the said year, the conference declares that it is highly desirable for governments to undertake again the serious examination of this question.

It has uttered the following recommendations:

1. The conference recommends to the signatory powers the adoption of the project hereto annexed of a convention for the organization of an arbitral court of justice and its enforcement as soon as an agreement shall have been reached upon the selection of judges and the constitution of the court.

2. The conference utters the wish that in case of war the proper civil and military authorities make it their very special duty to insure and protect the maintenance of peaceful intercourse, and notably the commercial and industrial relations, between the peoples of the belligerent states and of neutral countries.

3. The conference utters the wish that the powers settle, through special conventions, the situation in respect to the support of the burdens of military operations by foreigners resident within their territories.

4°. La Conférence émet le voeu que l'élaboration d'un règlement relatif aux lois et coutumes de la guerre maritime figure au programme de la prochaine Conférence et que, dans tous les cas, les Puissances appliquent, autant que possible, à la guerre sur mer, les principes de la Convention relative aux lois et coutumes de la guerre sur terre.

Enfin, la Conférence recommande aux Puissances la réunion d'une troisième Conférence de la Paix qui pourrait avoir lieu, dans une période analogue à celle qui s'est écoulée depuis la précédente Conférence, à une date à fixer d'un commun accord entre les Puissances, et elle appelle leur attention sur la nécessité de préparer les travaux de cette troisième Conférence assez longtemps à l'avance pour que ses délibérations se poursuivent avec l'autorité et la rapidité indispensables.

Pour atteindre à ce but, la Conférence estime qu'il serait très désirable que environ deux ans avant l'époque probable de la réunion, un Comité préparatoire fût chargé par les Gouvernements de recueillir les diverses propositions à soumettre à la Conférence, de rechercher les matières susceptibles d'un prochain règlement international et de préparer un programme que les Gouvernements arrêteraient assez tôt pour qu'il

4. The conference utters the wish that the elaboration of regulations relative to the laws and customs of maritime warfare may figure in the program of the next conference, and that in any case the powers apply, as far as possible, to maritime warfare the principle of the convention relative to the laws and customs of war on land.

Lastly, the conference recommends to the powers the holding of a third peace conference, which might take place within a period similar to that which has elapsed since the preceding conference, on a date to be set by joint agreement among the powers, and it draws their attention to the necessity of preparing the labors of that third conference sufficiently in advance to have its deliberations follow their course with the requisite authority and speed.

In order to achieve that object the conference thinks it would be very desirable that a preliminary committee be charged by the governments about two years before the probable date of the meeting, with the duty of collecting the various propositions to be brought before the conference, to seek out the matters susceptible of an early international settlement, and to prepare a program which the governments should determine upon

pût être sérieusement étudié dans chaque pays. Ce Comité serait, en outre, chargé de proposer un mode d'organisation et de procédure pour la Conférence elle-même. ••

En foi de quoi, les Plénipotentiaires ont signé le présent acte et y ont apposé leurs cachets.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui sera déposé dans les archives du Gouvernement des Pays-Bas et dont les copies, certifiées conformes, seront délivrées à toutes les Puissances représentées à la Conférence.

early enough to permit of its being thoroughly examined in each country. The committee should further be charged with the duty of proposing a mode of organization and procedure for the conference itself.

In witness whereof the plenipotentiaries have signed the present act and affixed their seals thereto.

Done at The Hague, October 18, one thousand nine hundred and seven, in one original, which shall be deposited in the archives of the Netherlands Government, and copies of which, duly certified, shall be delivered to all the powers represented at the conference.

ANNEXE AU 1ER VŒU ÉMIS PAR LA
DEUXIÈME CONFÉRENCE DE LA
PAIX.

*Projet d'une Convention relative
• à l'établissement d'une Cour de
justice arbitrale.*

TITRE I. — ORGANISATION DE LA
COUR DE JUSTICE ARBITRALE.

ARTICLE PREMIER.

Dans le but de faire progresser la cause de l'arbitrage, les Puissances contractantes conviennent d'organiser, sans porter atteinte à la Cour permanente d'arbitrage, une Cour de justice arbitrale, d'un accès libre et facile, réunissant des juges représentant les divers sys-

ANNEX TO THE FIRST RECOM-
MENDATION UTTERED BY THE
SECOND PEACE CONFERENCE.

*Draft of a convention relative to
the institution of a Court of
Arbitral Justice.*

TITLE I. — ORGANIZATION OF THE
COURT OF ARBITRAL JUSTICE.

ARTICLE 1.

With a view to furthering the cause of arbitration, the signatory powers agree to organize, without injury to the Permanent Court of Arbitration, a Court of Arbitral Justice, freely and easily accessible, and bringing together judges representing the various juridical

tèmes juridiques du monde, et capable d'assurer la continuité de la jurisprudence arbitrale.

systems of the world, and capable of insuring the continuity of arbitral jurisprudence.

ARTICLE 2.

La Cour de justice arbitrale se compose de juges et de juges suppléants choisis parmi les personnes jouissant de la plus haute considération morale et qui tous devront remplir les conditions requises, dans leurs pays respectifs, pour l'admission dans la haute magistrature ou être des jurisconsultes d'une compétence notoire en matière de droit international.

Les juges et les juges suppléants de la Cour sont choisis, autant que possible, parmi les membres de la Cour permanente d'arbitrage. Le choix sera fait dans les six mois qui suivront la ratification de la présente Convention.

ARTICLE 3.

Les juges et les juges suppléants sont nommés pour une période de douze ans à compter de la date où la nomination aura été notifiée au Conseil administratif institué par la Convention pour le règlement pacifique des conflits internationaux. Leur mandat peut être renouvelé.

En cas de décès ou de démission

ARTICLE 2.

The Court of Arbitral Justice consists of judges and alternates selected from among persons enjoying the highest moral consideration and who shall all fulfill, in their respective countries, the conditions required for appointment to high judicial offices or be jurists of well-known competency in matters relative to international law.

The judges and alternate judges of the court are, as far as possible, selected from among the members of the Permanent Court of Arbitration. They shall be appointed within six months from the date of the ratification of the present convention.

ARTICLE 3.

The judges and alternate judges are appointed for a term of twelve years from the date of the notification of their appointment to the Administrative Council instituted by the convention for the pacific settlement of international disputes. They may be reappointed.

In the case of death or retire-

d'un juge, ou d'un juge suppléant, il est pourvu à son remplacement selon le mode fixé pour sa nomination. Dans ce cas, la nomination est faite pour une nouvelle période de douze ans.

ARTICLE 4.

Les juges de la Cour de justice arbitrale sont égaux entre eux et prennent rang d'après la date de la notification de leur nomination. La préséance appartient au plus âgé, au cas où la date est la même.

Les juges suppléants sont, dans l'exercice de leurs fonctions, assimilés aux juges titulaires. Toutefois, ils prennent rang après ceux-ci.

ARTICLE 5.

Les juges jouissent des privilèges et immunités diplomatiques dans l'exercice de leurs fonctions et en dehors de leurs pays.

Avant de prendre possession de leur siège, les juges et les juges suppléants doivent, devant le Conseil administratif, prêter serment ou faire une affirmation solennelle d'exercer leurs fonctions avec impartialité et en toute conscience.

ARTICLE 6.

La Cour désigne annuellement trois juges qui forment une Délégation spéciale et trois autres

ment of a judge or alternate, the vacancy is filled in the manner prescribed for his appointment. In that event the appointment is made for a new term of twelve years.

ARTICLE 4.

The judges of the Court of Arbitral Justice are of equal rank and take precedence according to the date of notification of their respective appointments.

Alternate judges, when in the discharge of their duties, receive the same treatment as the judges, to whom, however, they yield precedence.

ARTICLE 5.

The judges enjoy diplomatic privileges and immunities when in the discharge of their duties and out of their own countries.

Before taking their seats, the judges and alternates must take oath or make solemn affirmation, before the Administrative Council, that they will discharge their duties impartially and conscientiously.

ARTICLE 6.

The court designates, every year, three judges who constitute a special delegation and three others

destinés à les remplacer en cas d'empêchement. Ils peuvent être réélus. L'élection se fait au scrutin de liste. Sont considérés comme élus ceux qui réunissent le plus grand nombre de voix. La Délégation élit elle-même son Président, qui, à défaut d'une majorité, est désigné par le sort.

Un membre de la Délégation ne peut exercer ses fonctions quand la Puissance qui l'a nommé, ou dont il est le national, est une des Parties.

Les membres de la Délégation terminent les affaires qui leur ont été soumises, même au cas où la période pour laquelle ils ont été nommés juges serait expirée.

ARTICLE 7.

L'exercice des fonctions judiciaires est interdit au juge dans les affaires au sujet desquelles il aura, à un titre quelconque, concouru à la décision d'un Tribunal national, d'un Tribunal d'arbitrage ou d'une Commission d'enquête, ou figuré dans l'instance comme conseil ou avocat d'une Partie.

Aucun juge ne peut intervenir comme agent ou comme avocat devant la Cour de justice arbitrale ou la Cour permanente d'arbitrage, devant un Tribunal spécial d'arbitrage ou une Commission d'en-

who are to take their places in case of disability. They may be re-elected. The vote is cast by blanket ballot. Those who obtain the larger number of votes are considered to be elected. The delegation elects its own president, who, failing a majority, is drawn by lot.

A member of the delegation is barred from the exercise of his functions when the power by which he was appointed or of which he is a subject is one of the parties to the case.

The members of the delegation finish the transactions which have been submitted to them, even though the term for which they were nominated may have expired.

ARTICLE 7.

Judicial functions can not be exercised by a judge in any case where he has in any manner whatsoever taken part in rendering the decision of a court of his nation, a court of arbitration, or a commission of inquiry, or where he has figured in the hearing of a case as counsel or attorney of one of the parties.

No judge can appear as agent or counsel before the Court of Arbitral Justice, the Permanent Court of Arbitration, a special tribunal of arbitration of inquiry, or act for any of the parties in

quête, ni y agir pour une Partie en quelque qualité que ce soit, pendant toute la durée de son mandat.

any capacity whatever, during his whole term of office.

ARTICLE 8.

La Cour élit son Président et son Vice-Président à la majorité absolue des suffrages exprimés. Après deux tours de scrutin, l'élection se fait à la majorité relative et, en cas de partage des voix, le sort décide.

ARTICLE 8.

The court elects its President and Vice-President by a majority of the votes cast. After two ballots, the election is carried by a plurality vote, and, in case the votes are equally divided, is decided by lot.

ARTICLE 9.

Les juges de la Cour de justice arbitrale reçoivent une indemnité annuelle de six mille florins néerlandais. Cette indemnité est payée à l'expiration de chaque semestre à dater du jour de la première réunion de la Cour.

Pendant l'exercice de leurs fonctions au cours des sessions ou dans les cas spéciaux prévus par la présente Convention, ils touchent une somme de cent florins par jour. Il leur est alloué, en outre, une indemnité de voyage fixée d'après les règlements de leur pays. Les dispositions du présent alinéa s'appliquent aussi aux juges suppléants remplaçant les juges.

Ces allocations, comprises dans les frais généraux de la Cour, prévus par l'article 31, sont versées par l'entremise du Bureau international institué par la Convention pour le règlement pacifique des conflits internationaux.

ARTICLE 9.

The judges of the Court of Arbitral Justice receive an annual compensation of six thousand Dutch florins. The compensation is paid at the end of every half year from the date of the first meeting of the court.

While in the exercise of their functions during the sessions, or in the special cases provided for by this convention, they receive a sum of one hundred florins per diem. They are further allowed traveling expenses rated according to the regulations of their respective countries. The provisions of this section also apply to alternates taking the places of judges.

These allowances, included in the running expenses of the court as provided by article 31, are paid through the International Bureau instituted by the convention for the pacific settlement of international conflicts.

ARTICLE 10.

Les juges ne peuvent recevoir de leur propre Gouvernement ou de celui d'une autre Puissance aucune rémunération pour des services rentrant dans leurs devoirs comme membres de la Cour.

ARTICLE 10.

The judges can not receive from their own governments or that of another power any compensation for services included in their duties as members of the court.

ARTICLE 11.

La Cour de justice arbitrale a son siège à La Haye et ne peut, sauf le cas de force majeure, le transporter ailleurs.

La Délégation peut, avec l'assentiment des Parties, choisir un autre lieu pour ses réunions si des circonstances particulières l'exigent.

ARTICLE 11.

The Court of Arbitral Justice has its seat at The Hague and, save in a case of *vis major*, can not transfer it elsewhere.

The delegation may, the parties assenting, select another place for its session if special circumstances so require.

ARTICLE 12.

Le Conseil administratif remplit à l'égard de la Cour de justice arbitrale les fonctions qu'il remplit à l'égard de la Cour permanente d'arbitrage.

ARTICLE 12.

The Administrative Council performs the same functions toward the Court of Arbitral Justice as towards the Permanent Court of Arbitration.

ARTICLE 13.

Le Bureau international sert de greffe à la Cour de justice arbitrale et doit mettre ses locaux et son organisation à la disposition de la Cour. Il a la garde des archives et la gestion des affaires administratives.

Le Secrétaire Général du Bureau remplit les fonctions de greffier.

Les secrétaires adjoints au

ARTICLE 13.

The International Bureau serves as record office for the Court of Arbitral Justice and must place its premises and staff at the disposal of the court. It has the custody of the archives and conducts the administrative business.

The Secretary General of the International Bureau performs the duties of clerk of the court.

The assistant secretaries to the

greffier, les traducteurs et les sténographes nécessaires sont désignés et assermentés par la Cour.

clerk, translators, and stenographers that may be needed are designated and sworn by the court.

ARTICLE 14.

La Cour se réunit en session une fois par an. La session commence le troisième mercredi de juin et dure tant que l'ordre du jour n'aura pas été épuisé.

La Cour ne se réunit pas en session, si la Délégation estime que cette réunion n'est pas nécessaire. Toutefois, si une Puissance est partie à un litige actuellement pendante devant la Cour et dont l'instruction est terminée ou va être terminée, elle a le droit d'exiger que la session ait lieu.

En cas de nécessité, la Délégation peut convoquer la Cour en session extraordinaire.

ARTICLE 14.

The court assembles in session once a year. The session begins on the third Wednesday of June and lasts until the calendar shall have been exhausted.

The court does not assemble in session if the meeting is deemed unnecessary by the delegation. If, however, a power is a party to a case actually pending before the court, the preliminary proceedings of which are completed or near completion, that power has the right to demand that the session take place.

The delegation may, in case of necessity, call an extraordinary session of the court.

ARTICLE 15.

Un compte-rendu des travaux de la Cour sera dressé chaque année par la Délégation. Ce compte-rendu sera transmis aux Puissances contractantes par l'intermédiaire du Bureau international. Il sera communiqué aussi à tous les juges et juges suppléants de la Cour.

ARTICLE 15.

An account of the proceedings of the court shall be made every year by the delegation. The account shall be transmitted to the contracting powers through the International Bureau. It shall also be communicated to all the judges and alternates of the court.

ARTICLE 16.

Les juges et les juges suppléants, membres de la Cour de

ARTICLE 16.

The judges and alternates, members of the Court of Arbitral Jus-

justice arbitrale, peuvent aussi être nommés aux fonctions de juge et de juge suppléant dans la Cour internationale des prises.

tice, may also be appointed to the offices of judges and alternates of the International Prize Court.

TITRE II. — COMPÉTENCE ET PROCEDURE.

ARTICLE 17.

La Cour de justice arbitrale est compétente pour tous les cas qui sont portés devant elle, en vertu d'une stipulation générale d'arbitrage ou d'un accord spécial.

TITLE II. — JURISDICTION AND PROCEDURE.

ARTICLE 17.

The Court of Arbitral Justice has jurisdiction in all cases brought before it by virtue of a general or special arbitration agreement.

ARTICLE 18.

La Délégation est compétente:

1. pour juger les cas d'arbitrage visés à l'article précédent, si les Parties sont d'accord pour réclamer l'application de la procédure sommaire, réglée au Titre IV Chapitre 4 de la Convention pour le règlement pacifique des conflits internationaux;

2. pour procéder à une enquête en vertu et en conformité du Titre III de ladite Convention en tant que la Délégation en est chargée par les Parties agissant d'un commun accord. Avec l'assentiment des Parties et par dérogation à l'article 7 alinéa 1, les membres de la Délégation ayant pris part à l'enquête peuvent siéger comme juges, si le litige est soumis à l'arbitrage de la Cour ou de la Délégation elle-même.

ARTICLE 18.

The delegation is competent:

1. To hear arbitration cases coming under the foregoing article, if the parties agree upon demanding the application of summary procedure as determined in Title IV, Chapter 4, of the convention for the pacific settlement of international conflicts.

2. To institute an inquiry by virtue of and in conformity to Title III of the said convention in so far as the delegation may have been charged with this duty by the litigants acting in common accord. With the assent of the parties and in derogation of article 7, section 1, members of the delegation who took part in the inquiry may sit as judges if the dispute comes for arbitration before either the court or the delegation itself.

ARTICLE 19.

La Délégation est, en outre, compétente pour l'établissement du compromis visé par l'article 52 de la Convention pour le règlement pacifique des conflits internationaux, si les Parties sont d'accord pour s'en remettre à la Cour.

Elle est également compétente, même si la demande est faite seulement par l'une des Parties, après qu'un accord par la voie diplomatique a été vainement essayé, quand il s'agit :

1°. d'un différend rentrant dans un traité d'arbitrage général conclu ou renouvelé après la mise en vigueur de cette Convention et qui prévoit pour chaque différend un compromis, et n'exclut pour l'établissement de ce dernier ni explicitement ni implicitement la compétence de la Délégation. Toutefois, le recours à la Cour n'a pas lieu si l'autre Partie déclare qu'à son avis le différend n'appartient pas à la catégorie des questions à soumettre à un arbitrage obligatoire, à moins que le traité d'arbitrage ne confère au tribunal arbitral le pouvoir de décider cette question préalable.

2°. d'un différend provenant de dettes contractuelles réclamées à une Puissance par une autre Puissance comme dues à ses nationaux, et pour la solution duquel l'offre

ARTICLE 19.

The delegation is further competent to draw up the "*compromis*" (article 52 of the convention for the pacific settlement of international disputes) if the parties agree to remit their case to the court.

It is also competent even when application is made by one of the parties only, after vainly endeavoring to effect an agreement through the diplomatic channel in the case of :

1. A dispute coming under a general treaty of arbitration concluded or renewed before the putting into effect of this convention and which provides a *compromis* for every dispute without explicitly or impliedly excluding the competence of the delegation as to the drawing up of the *compromis*. The case, however, is not brought before the court if the other party declared that, in its opinion, the dispute does not belong to the category of questions to be submitted to obligatory arbitration, unless the arbitration treaty confer upon the arbitral tribunal the power to pass upon this previous question.

2. A dispute arising from contractual debts claimed of one power by another power as being due to persons subject to its jurisdiction, and for the settlement of which

d'arbitrage a été acceptée. Cette disposition n'est pas applicable si l'acceptation a été subordonnée à la condition que le compromis soit établi selon un autre mode.

the proposal of arbitration has been accepted. This provision is not acceptable if the acceptance was conditioned on the *compromis* being effected in some other manner.

ARTICLE 20.

Chacune des Parties a le droit de désigner un juge de la Cour pour prendre part, avec voix délibérative, à l'examen de l'affaire soumise à la Délégation.

Si la Délégation fonctionne en qualité de Commission d'enquête, ce mandat peut être confié à des personnes prises en dehors des juges de la Cour. Les frais de déplacement et la rétribution à allouer auxdites personnes sont fixés et supportés par les Puissances qui les ont nommés.

ARTICLE 20.

Each one of the parties has the right to designate a judge of the court who shall take part and have a vote in the hearing of the case referred to the delegation.

If the delegation acts in the capacity of a commission of inquiry this duty may be entrusted to persons who are not judges of the court. The traveling expenses and compensation to be allowed to these persons are determined and paid by the powers which appointed them.

ARTICLE 21.

L'accès de la Cour de justice arbitrale, instituée par la présente Convention, n'est ouvert qu'aux Puissances contractantes.

ARTICLE 21.

Access to the Court of Arbitral Justice instituted by this convention is open to the contracting powers only.

ARTICLE 22.

La Cour de justice arbitrale suit les règles de procédure édictées par la Convention pour le règlement pacifique des conflits internationaux, sauf ce qui est prescrit par la présente Convention.

ARTICLE 22.

The Court of Arbitral Justice is governed by the rules of procedure laid down in the convention for the pacific settlement of international conflicts, save those prescribed by the present convention.

ARTICLE 23.

La Cour décide du choix de la langue dont elle fera usage, et des langues dont l'emploi sera autorisé devant elle. .

ARTICLE 23.

The court decides on the choice of the language to be used by itself and of the languages the use of which will be authorized before it.

ARTICLE 24.

Le Bureau international sert d'intermédiaire pour toutes les communications à faire aux juges au cours de l'instruction prévue à l'article 63 alinéa 2 de la Convention pour le règlement pacifique des conflits internationaux.

ARTICLE 24.

The International Bureau serves as a medium for all communications to be made to the judges in the course of the preliminary examination provided by article 63, section 2, of the convention for the pacific settlement of international conflicts.

ARTICLE 25.

Pour toutes les notifications à faire, notamment aux Parties, aux témoins et aux experts, la Cour peut s'adresser directement au Gouvernement de la Puissance sur le territoire de laquelle la notification doit être effectuée. Il en est de même s'il s'agit de faire procéder à l'établissement de tout moyen de preuve.

ARTICLE 25.

As for all the notices to be served, notably to the parties, the witnesses, and experts, the court may apply directly to the government of the power within whose territory the notice is to be served. The same rule applies to cases in which it is sought to obtain evidence.

Les requêtes adressées à cet effet ne peuvent être refusées que si la Puissance requise les juge de nature à porter atteinte à sa souveraineté ou à sa sécurité. S'il est donné suite à la requête, les frais ne comprennent que les dépenses d'exécution réellement effectuées.

Requests to this effect may not be refused by the recipient power except where it considers them to be of such a nature as to affect its sovereignty or its security. When the request is favorably acted upon the expenses may only include the actual outlay incurred in the execution.

La Cour a également la faculté de recourir à l'intermédiaire de la

The court also has the option of asking the power upon whose terri-

Puissance sur la territoire de laquelle elle a son siège.

Les notifications à faire aux Parties dans le lieu où siège la Cour peuvent être exécutées par le Bureau international.

tory it is established to act as intermediary.

Notices to persons at the place where the court sits may be served by the International Bureau.

ARTICLE 26.

Les débats sont dirigés par le Président ou le Vice-Président et, en cas d'absence ou d'empêchement de l'un et de l'autre, par le plus ancien des juges présents.

Le juge nommé par une des Parties ne peut siéger comme Président.

ARTICLE 26.

The proceedings of the court are conducted by the President or the Vice-President, and, in the case of the absence or disability of both, by the senior judge in attendance.

The judge appointed by one of the contesting parties can not take the President's seat.

ARTICLE 27.

Les délibérations de la Cour ont lieu à huis clos et restent secrètes.

Toute décision est prise à la majorité des juges présents. Si la Cour siège en nombre pair et qu'il y ait partage des voix, la voix du dernier des juges, dans l'ordre de préséance établi d'après l'article 4 alinéa 1, ne sera pas comptée.

ARTICLE 27.

The deliberations of the court are held behind closed doors and kept secret.

Every decision of the court is reached by a majority of the judges in attendance. If the court sits with an even number of judges and the votes are equally divided, the vote of the last judge in the order of precedence as determined by article 4, section 1, shall not be counted.

ARTICLE 28.

Les arrêts de la Cour doivent être motivés. Ils mentionnent les noms des juges qui y ont participé; ils sont signés par le Président et par le greffier.

ARTICLE 28.

The decisions of the court must state the grounds upon which they are rendered. They mention the names of the participating judges; they are signed by the President and the clerk.

ARTICLE 29.

Chaque Partie supporte ses propres frais et une part égale des frais spéciaux de l'instance.

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ARTICLE 30.

Les dispositions des articles 21 à 29 sont appliquées par analogie dans la procédure devant la Délégation.

Lorsque le droit d'adjoindre un membre à la Délégation n'a été exercé que par une seule Partie, la voix du membre adjoint n'est pas comptée, s'il y a partage de voix.

ARTICLE 31.

Les frais généraux de la Cour sont supportés par les Puissances contractantes.

Le Conseil administratif s'adresse aux Puissances pour obtenir les fonds nécessaires au fonctionnement de la Cour.

ARTICLE 32.

La Cour fait elle-même son règlement d'ordre intérieur qui doit être communiqué aux Puissances contractantes.

Après la ratification de la présente Convention, la Cour se réunira aussitôt que possible, pour élaborer ce règlement, pour élire le Président et le Vice-Président ainsi que pour désigner les membres de la Délégation.

ARTICLE 29.

Each party bears its own expense and an equal share of the special costs of the case.

ARTICLE 30.

The provisions of article 21 to 29 are similarly applicable in proceedings before the delegation.

When but one of the parties avails itself of the right to add a member to the delegation, the vote of that additional member is not counted, in case of a tie.

ARTICLE 31.

The general expenses of the Court of Arbitral Justice are borne by the signatory powers.

The Administrative Council shall address itself to the powers in order to obtain the funds necessary for the working of the court.

ARTICLE 32.

The court shall make its rules, which shall be communicated to the contracting powers.

After the present convention shall have been ratified the court will convene as soon as possible for the purpose of drawing up its rules, electing the President and Vice-President, and designating the members of the delegation.

ARTICLE 33.

La Cour peut proposer des modifications à apporter aux dispositions de la présente Convention qui concernent la procédure. Ces propositions sont communiquées par l'intermédiaire du Gouvernement des Pays-Bas aux Puissances contractantes qui se concerteront sur la suite à donner.

ARTICLE 33.

The court may propose amendments to such of the provisions of this convention as relate to procedure. The propositions are communicated, through the Government of the Netherlands, to the signatory powers, which will determine together the action to be taken thereon.

TITRE III. — DISPOSITIONS
FINALES.

ARTICLE 34.

La présente Convention sera ratifiée dans le plus bref délai possible.

Les ratifications seront déposées à la Haye.

Il sera dressé du dépôt de chaque ratification un procès-verbal, dont une copie, certifiée conforme, sera remise par la voie diplomatique à toutes les Puissances signataires.

TITLE III. — FINAL PROVISIONS.

ARTICLE 34.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

A procès-verbal of the deposit of each ratification shall be drawn up and a duly certified copy thereof shall be delivered through the diplomatic channel to all the signatory powers.

ARTICLE 35.

La Convention entrera en vigueur six mois après sa ratification.

Elle aura une durée de douze ans, et sera renouvelée tacitement de douze ans en douze ans, sauf dénonciation.

La dénonciation devra être notifiée, au moins deux ans avant l'expiration de chaque période, au

ARTICLE 35.

The convention shall go into effect six months after ratification.

It shall continue in force for a period of twelve years and tacitly renewed every twelve years, unless denounced.

Denunciation shall be notified, two years at least before the expiration of each period, to the

Gouvernement des Pays-Bas qui en donnera connaissance aux autres Puissances.

La dénonciation ne produira effet qu'à l'égard de la Puissance qui l'aura notifiée. La Convention restera exécutoire dans les rapports entre les autres Puissances.

Government of the Netherlands, which shall acquaint the other powers therewith.

The denunciation shall take effect as regards the notifying power only. The convention shall remain executory in respect to the relations between the other powers.

[TRANSLATION.]

Convention pour le Règlement pacifique des conflits internationaux.

Convention for the Pacific Settlement of International Disputes.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

His Majesty the Emperor of Germany, King of Prussia; etc.:

Animés de la ferme volonté de concourir au maintien de la paix générale;

Animated by the sincere desire to work for the maintenance of general peace;

Résolus à favoriser de tous leurs efforts le règlement amiable des conflits internationaux;

Resolved to promote by all the efforts in their power the friendly settlement of international disputes;

Reconnaissant la solidarité qui unit les membres de la société des nations civilisées;

Recognizing the solidarity uniting the members of the society of civilized nations;

Voulant étendre l'empire du droit et fortifier le sentiment de la justice internationale;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convaincus que l'institution permanente d'une juridiction arbitrale accessible à tous, au sein des Puissances indépendantes, peut contribuer efficacement à ce résultat;

Convinced that the permanent institution of a Tribunal of Arbitration accessible to all, in the midst of independent powers, will contribute effectively to this result;

Considérant les avantages d'une organisation générale et régulière de la procédure arbitrale;

Having regard to the advantages attending the general and regular organization of the procedure of arbitration;

Estimant avec l'Auguste Initiateur de la Conférence internationale de la Paix qu'il importe de consacrer dans un accord international les principes d'équité et de droit sur lesquels reposent la sécurité des Etats et le bien-être des peuples;

Désireux, dans ce but, de mieux assurer le fonctionnement pratique des Commissions d'enquête et des tribunaux d'arbitrage et de faciliter le recours à la justice arbitrale lorsqu'il s'agit de litiges de nature à comporter une procédure sommaire;

Ont jugé nécessaire de reviser sur certains points et de compléter l'oeuvre de la Première Conférence de la Paix pour le règlement pacifique des conflits internationaux;

Les Hautes Parties contractantes ont résolu de conclure une nouvelle Convention à cet effet et ont nommé pour Leurs Plénipotentiaires, savoir;

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit:

Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an international agreement the principles of equity and right on which are based the security of states and the welfare of peoples;

Being desirous, with this object, of insuring the better working in practice of commissions of inquiry and tribunals of arbitration, and of facilitating recourse to arbitration in cases which allow of a summary procedure;

Have deemed it necessary to revise in certain particulars and to complete the work of the First Peace Conference for a pacific settlement of international disputes;

The high contracting parties have resolved to conclude a new convention for this purpose, and have appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following:

TITRE I. — DU MAINTIEN DE LA
PAIX GÉNÉRALE.

ARTICLE PREMIER.

En vue de prévenir autant que possible le recours à la force dans les rapports entre les Etats, les Puissances contractantes conviennent d'employer tous leurs efforts pour assurer le règlement pacifique des différends internationaux.

TITRE II. — DES BONS OFFICES ET
DE LA MÉDIATION.

ARTICLE 2.

En cas de dissentiment grave ou de conflit, avant d'en appeler aux armes, les Puissances contractantes conviennent d'avoir recours, en tant que les circonstances le permettront, aux bons offices ou à la médiation d'une ou de plusieurs Puissances amies.

ARTICLE 3.

Indépendamment de ce recours, les Puissances contractantes jugent utile et désirable qu'une ou plusieurs Puissances étrangères au conflit offrent de leur propre initiative, en tant que les circonstances s'y prêtent, leurs bons offices ou leur médiation aux Etats en conflit.

Le droit d'offrir les bons offices ou la médiation appartient aux

TITLE I. — THE MAINTENANCE OF
THE GENERAL PEACE.

ARTICLE 1.

With a view to obviating, as far as possible, recourse to force in the relations between states, the contracting powers agree to use their best efforts to insure the pacific settlement of international differences.

TITLE II. — GOOD OFFICES AND
MEDIATION.

ARTICLE 2.

In case of serious disagreement or conflict, before an appeal to arms, the contracting powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly powers.

ARTICLE 3.

Independently of this recourse, the contracting powers deem it expedient and desirable that one or more powers, strangers to the dispute, should, on their own initiative, and as far as circumstances may allow, offer their good offices or mediation to the states at variance.

Powers, strangers to the dispute, have the right to offer good offices

Puissances étrangères au conflit, même pendant le cours des hostilités.

L'exercice de ce droit ne peut jamais être considéré par l'une ou l'autre des Parties en litige comme un acte peu amical.

ARTICLE 4.

Le rôle du médiateur consiste à concilier les prétentions opposées et à apaiser les ressentiments qui peuvent s'être produits entre les Etats en conflit.

ARTICLE 5.

Les fonctions du médiateur cessent du moment où il est constaté, soit par l'une des Parties en litige, soit par le médiateur lui-même, que les moyens de conciliation proposés par lui ne sont pas acceptés.

ARTICLE 6.

Les bons offices et la médiation, soit sur le recours des Parties en conflit, soit sur l'initiative de Puissances étrangères au conflit, ont exclusivement le caractère de conseil et n'ont jamais force obligatoire.

ARTICLE 7.

L'acceptation de la médiation ne peut avoir pour effet, sauf convention contraire, d'interrompre, de retarder ou d'entraver la mobilisa-

or mediation, even during the course of hostilities.

The exercise of this right can never be regarded by either of the parties in conflict as an unfriendly act.

ARTICLE 4.

The rôle of the mediator consists in reconciling the opposing claim and appeasing the feelings of resentment which may have arisen between the states at variance.

ARTICLE 5.

The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediator himself, that the means of reconciliation proposed by him are not accepted.

ARTICLE 6.

Good offices and mediation, undertaken either at the request of the parties at variance, or on the initiative of powers strangers to the dispute, have exclusively an advisory character and never binding force.

ARTICLE 7.

The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hinder-

tion et autres mesures préparatoires à la guerre.

Si elle intervient après l'ouverture des hostilités, elle n'interrompt pas, sauf convention contraire, les opérations militaires en cours.

ARTICLE 8.

Les Puissances contractantes sont d'accord pour recommander l'application, dans les circonstances qui le permettent, d'une médiation spéciale sous la forme suivante.

En cas de différend grave compromettant la paix, les Etats en conflit choisissent respectivement une Puissance à laquelle ils confient la mission d'entrer en rapport direct avec la Puissance choisie d'autre part, à l'effet de prévenir la rupture des relations pacifiques.

Pendant la durée de ce mandat dont le terme, sauf stipulation contraire, ne peut excéder trente jours; les Etats en litige cessent tout rapport direct au sujet du conflit, lequel est considéré comme déferé exclusivement aux Puissances médiatrices. Celles-ci doivent appliquer tous leurs efforts à régler le différend.

En cas de rupture effective des relations pacifiques, ces Puissances demeurent chargées de la mission commune de profiter de toute occasion pour rétablir la paix.

ing mobilization or other measures of preparation for war.

If mediation occurs after the commencement of hostilities it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

ARTICLE 8.

The contracting powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:

In case of a serious difference endangering the peace, the states at variance choose respectively a power, to whom they intrust the mission of entering into direct communication with the power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, unless otherwise stipulated, can not exceed thirty days, the states in conflict cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating powers, who must use their best efforts to settle it.

In case of a definite rupture of pacific relations these powers are charged with the joint task of taking advantage of any opportunity to restore peace.

TITRE III. — DES COMMISSIONS
INTERNATIONALES D'ENQUÊTE.

ARTICLE 9.

Dans les litiges d'ordre international n'engageant ni l'honneur ni des intérêts essentiels et provenant d'une divergence d'appréciation sur des points de fait, les Puissances contractantes jugent utile et désirable que les Parties qui n'auraient pu se mettre d'accord par les voies diplomatiques instituent, en tant que les circonstances le permettront, une Commission internationale d'enquête chargée de faciliter la solution de ces litiges en éclaircissant, par un examen impartial et consciencieux, les questions de fait.

ARTICLE 10.

Les Commissions internationales d'enquête sont constituées par convention spéciale entre les Parties en litige.

La convention d'enquête précise les faits à examiner; elle détermine le mode et le délai de formation de la Commission et l'étendue des pouvoirs des commissaires.

Elle détermine également, s'il y a lieu, le siège de la Commission et la faculté de se déplacer, la langue dont la Commission fera usage et celles dont l'emploi sera autorisé devant elle, ainsi que la date à laquelle chaque Partie devra

TITLE III. — ON INTERNATIONAL
COMMISSIONS OF INQUIRY.

ARTICLE 9.

In differences of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact, the contracting powers deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy should as far as circumstances allow institute an international commission of inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE 10.

The international commissions of inquiry are constituted by special agreement between the parties in conflict.

The convention for an inquiry defines the facts to be examined; it determines the mode and time in which the commission is to be formed and the extent of the commissioners' powers.

It also determines, if there be occasion therefor, where the commission shall sit and whether it will be permitted to move its seat, what language shall be used by the commission, and what other languages may be used before it; also

déposer son exposé des faits, et généralement toutes les conditions dont les Parties sont convenues.

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Si les Parties jugent nécessaire de nommer des assesseurs, la convention d'enquête détermine le mode de leur désignation et l'étendue de leurs pouvoirs.

ARTICLE 11.

Si la convention d'enquête n'a pas désigné le siège de la Commission, celle-ci siégera à La Haye.

Le siège une fois fixé ne peut être changé par la Commission qu'avec l'assentiment des Parties.

Si la convention d'enquête n'a pas déterminé les langues à employer, il en est décidé par la Commission.

ARTICLE 12.

Sauf stipulation contraire, les Commissions d'enquête sont formées de la manière déterminée par les articles 45 et 57 de la présente Convention.

ARTICLE 13.

En cas de décès, de démission ou d'empêchement, pour quelque cause que ce soit, de l'un des commissaires, ou éventuellement de

on what date each party shall file its statement of facts, and in a general way sets forth all the conditions upon which the parties are agreed.

If the parties deem it necessary to appoint associate commissioners, the convention for an inquiry determines the mode of their designation and the extent of their powers.

ARTICLE 11.

If the convention for inquiry does not designate the seat of the commission, it shall sit at The Hague.

The commission can not change its seat when it has been fixed, except with the assent of the parties.

If the convention for an inquiry has not determined the language to be used, it shall be decided by the commission.

ARTICLE 12.

Unless otherwise stipulated, the commissions of inquiry are formed in the manner prescribed by articles 45 and 57 of the present convention.

ARTICLE 13.

In case of the death, resignation, or inability to attend, for any cause whatever, of one of the commissioners or their associates, if such

l'un des assesseurs, il est pourvu à son remplacement selon le mode fixé pour sa nomination.

ARTICLE 14.

Les Parties ont le droit de nommer auprès de la Commission d'enquête des agents spéciaux avec la mission de Les représenter et de servir d'intermédiaires entre Elles et la Commission.

Elles sont, en outre, autorisées à charger des conseils ou avocats nommés par elles, d'exposer et de soutenir leurs intérêts devant la Commission.

ARTICLE 15.

Le Bureau International de la Cour permanente d'arbitrage sert de greffe aux Commissions qui siègent à La Haye, et mettra ses locaux et son organisation à la disposition des Puissances contractantes pour le fonctionnement de la Commission d'enquête.

ARTICLE 16.

Si la Commission siège ailleurs qu'à La Haye, elle nomme un Secrétaire Général dont le bureau lui sert de greffe.

Le greffe est chargé, sous l'autorité du Président, de l'organisation matérielle des séances de la Commission, de la rédaction des procès-verbaux et, pendant le temps de l'enquête, de la garde des ar-

there be, his place shall be filled in the manner provided for his appointment.

ARTICLE 14.

The parties have a right to appoint agents to go before the commission of inquiry for the purpose of representing them and of acting as intermediaries between them and the commission.

They are, moreover, authorized to engage counsel or attorneys appointed by them to explain and defend their interests before the commission.

ARTICLE 15.

The International Bureau of the Permanent Court of Arbitration acts as record office for the commissions sitting at The Hague, and it shall place its premises and staff at the disposal of the contracting powers for the use of the commission of inquiry.

ARTICLE 16.

If the commission sits elsewhere than at The Hague, it appoints a secretary general whose office serves as a record office for it.

The record office is charged, under the authority of the president, with making the necessary arrangements for the sittings of the commission, with the drawing up of the *procès-verbaux*, and, during the

chives qui seront ensuite versées au Bureau International de La Haye.

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ARTICLE 17.

En vue de faciliter l'institution et le fonctionnement des Commissions d'enquête, les Puissances contractantes recommandent les règles suivantes qui seront applicables à la procédure d'enquête en tant que les Parties n'adopteront pas d'autres règles.

ARTICLE 18.

La Commission règlera les détails de la procédure non prévus dans la convention spéciale d'enquête ou dans la présente Convention, et procédera à toutes les formalités que comporte l'administration des preuves.

ARTICLE 19.

L'enquête a lieu contradictoirement.

Aux dates prévues, chaque Partie communique à la Commission et à l'autre Partie les exposés des faits, s'il y a lieu, et, dans tous les cas, les actes, pièces et documents qu'Elle juge utiles à la découverte de la vérité, ainsi que la liste des témoins et des experts qu'elle désire faire entendre.

continuance of the inquiry, with the custody of the archives, which shall afterwards be turned over to the International Bureau at The Hague.

ARTICLE 17.

With a view to facilitating the institution and operation of the commissions of inquiry, the contracting powers recommend the following rules, which shall be applicable to the procedure of inquiry as long as the parties do not adopt any other rules.

ARTICLE 18.

The commission shall regulate the details of the procedure which are not provided for in the special convention for the inquiry or in the present convention, and it shall perform all the formalities connected with the taking of evidence.

ARTICLE 19.

Both sides shall be heard in the inquiry.

On the dates provided, each party shall communicate to the commission and to the other party the statements of the facts, if there are any, and at all events the acts, papers, and documents which it may deem useful in discovering the truth, as well as a list of the witnesses and experts whom it wishes to have examined.

ARTICLE 20.

La Commission a la faculté, avec l'assentiment des Parties, de se transporter momentanément sur les lieux où elle juge utile de recourir à ce moyen d'information ou d'y déléguer un ou plusieurs de ses membres. L'autorisation de l'Etat sur le territoire duquel il doit être procédé à cette information devra être obtenue.

ARTICLE 21.

Toutes constatations matérielles, et toutes visites des lieux doivent être faites en présence des agents et conseils des Parties ou eux dûment appelés.

ARTICLE 22.

La Commission a le droit de solliciter de l'une ou l'autre Partie telles explications ou informations qu'elle juge utiles.

ARTICLE 23.

Les Parties s'engagent à fournir à la Commission d'enquête, dans la plus large mesure qu'Elles jugeront possible, tous les moyens et toutes les facilités nécessaires pour la connaissance complète et l'appréciation exacte des faits en question.

Elles s'engagent à user des moyens dont Elles disposent d'après leur législation intérieure,

ARTICLE 20.

The commission has authority, with the consent of the parties, to repair temporarily to the spot when it deems it necessary to resort to this means of obtaining information, or to delegate thither one or more of its members. The permission of the state in whose territory the information is to be gathered must be obtained.

ARTICLE 21.

All ascertainties of facts and all visits to the spot must take place in the presence of the agents and counsel of the parties, or after they have been duly summoned.

ARTICLE 22.

The commission has a right to request of either party such explanations or information as it may deem necessary.

ARTICLE 23.

The parties agree to furnish to the commission of inquiry, as far as they deem it possible, all the means and all the facilities necessary in order to gain a full knowledge and form an accurate idea of the facts in question.

They agree to utilize the means at their disposal according to their internal legislation in order to in-

pour assurer la comparution des témoins ou des experts se trouvant sur leur territoire et cités devant la Commission.

Si ceux-ci ne peuvent comparaître devant la Commission, Elles feront procéder à leur audition devant leurs autorités compétentes.

ARTICLE 24.

Pour toutes les notifications que la Commission aurait à faire sur le territoire d'une tierce Puissance contractante, la Commission s'adressera directement au Gouvernement de cette Puissance. Il en sera de même s'il s'agit de faire procéder sur place à l'établissement de tous moyens de preuve.

Les requêtes adressées à cet effet seront exécutées suivant les moyens dont la Puissance requise dispose d'après Sa législation intérieure. Elles ne peuvent être refusées que si cette Puissance les juge de nature à porter atteinte à Sa souveraineté ou à Sa sécurité.

La Commission aura aussi toujours la faculté de recourir à l'intermédiaire de la Puissance sur le territoire de laquelle elle a son siège.

ARTICLE 25.

Les témoins et les experts sont appelés à la requête des Parties ou

sure the appearance of the witnesses and experts residing in their territory and summoned before the commission.

If these persons can not appear before the commission, they shall proceed to have them examined before their competent authorities.

ARTICLE 24.

All notifications which the commission may have to make in the territory of a third contracting power shall be addressed by it directly to the government of that power. The same course shall be pursued when any kind of evidence is to be gathered on the spot.

Requests made for this purpose shall be complied with according to the means at the disposal of the power receiving the request, in accordance with its internal legislation. The requests shall not be refused unless the power receiving them considers them to be of such a nature as to impair its sovereignty or security.

The commission shall also have the right to ask the intermediation of the power in whose territory it has its seat.

ARTICLE 25.

Witnesses and experts are summoned at the request of the parties

d'office par la Commission, et, dans tous les cas, par l'intermédiaire du Gouvernement de l'Etat sur le territoire duquel il se trouvent.

Les témoins sont entendus, successivement et séparément, en présence des agents et des conseils et dans un ordre à fixer par la Commission.

ARTICLE 26.

L'interrogatoire des témoins est conduit par le Président.

Les membres de la Commission peuvent néanmoins poser à chaque témoin les questions qu'ils croient convenables pour éclaircir ou compléter sa déposition, ou pour se renseigner sur tout ce qui concerne le témoin dans les limites nécessaires à la manifestation de la vérité.

Les agents et les conseils des Parties ne peuvent interrompre le témoin dans sa déposition, ni lui faire aucune interpellation directe, mais peuvent demander au Président de poser au témoin telles questions complémentaires qu'ils jugent utiles.

ARTICLE 27.

Le témoin doit déposer sans qu'il lui soit permis de lire aucun projet écrit. Toutefois, il peut être autorisé par le Président à s'aider

or independently by the commission, and at all events through the medium of the government of the state in whose territory they reside.

The witnesses are examined, successively and separately, in the presence of the agents and counsel, and in the order determined by the commission.

ARTICLE 26.

The cross-examination of the witnesses is conducted by the president.

The members of the commission may nevertheless propound such questions to the witnesses as they may deem expedient in order to elucidate or complete his testimony, or in order to inform themselves on everything concerning the witness to the extent necessary in order to arrive at the truth.

The agents and counsel of the parties shall not interrupt the witness in his deposition or question him directly, but they may request the president to ask the witness such additional questions as they may deem necessary.

ARTICLE 27.

The witness shall make his deposition without being permitted to read any written draft. However, he may be authorized by the presi-

de notes ou documents si la nature des faits rapportés en nécessite l'emploi.

dent to use notes or documents, if the nature of the facts related render their use necessary.

• ARTICLE 28.

Procès-verbal de la déposition du témoin est dressé séance tenante et lecture en est donnée au témoin. Le témoin peut y faire tels changements et additions que bon lui semble et qui seront consignés à la suite de sa déposition.

Lecture faite au témoin de l'ensemble de sa déposition, le témoin est requis de signer.

ARTICLE 28.

A *procès-verbal* of the deposition of the witness is drawn up immediately and read to the witness. The witness may make such changes and additions therein as he may deem fit, and they shall be entered after his deposition.

After the reading of his deposition to the witness he is requested to sign it.

ARTICLE 29.

Les agents sont autorisés, au cours ou à la fin de l'enquête, à présenter par écrit à la Commission et à l'autre Partie tels dires, réquisitions ou résumés de fait, qu'ils jugent utiles à la découverte de la vérité.

ARTICLE 29.

The agents are authorized, during or at the end of the inquiry, to present in writing to the commission and to the other party such statements, requisitions, or summaries of fact as they may deem useful in discovering the truth.

ARTICLE 30.

Les délibérations de la Commission ont lieu à huis clos et restent secrètes.

Toute décision est prise à la majorité des membres de la Commission.

Le refus d'un membre de prendre part au vote doit être constaté dans le *procès-verbal*.

ARTICLE 30.

The deliberations of the commission take place with closed doors and remain secret.

Every decision is reached by a majority of the members of the commission.

The refusal of a member to take part in the voting shall be recorded in the *procès-verbal*.

ARTICLE 31.

Les séances de la Commission ne sont publiques et les procès-verbaux et documents de l'enquête ne sont rendus publics qu'en vertu d'une décision de la Commission, prise avec l'assentiment des Parties.

ARTICLE 31.

The meetings of the commission shall not be public, and the *procès-verbaux* and documents of the inquiry shall not be rendered public, except by virtue of a decision of the commission, reached with the consent of the parties.

ARTICLE 32.

Les Parties ayant présenté tous les éclaircissements et preuves, tous les témoins ayant été entendus, le Président prononce la clôture de l'enquête et la Commission s'ajourne pour délibérer et rédiger son rapport.

ARTICLE 32.

When the parties have presented all their explanations and evidence and all the witnesses have been heard, the president declares the inquiry to be closed and the commission adjourns to deliberate and prepare its report.

ARTICLE 33.

Le rapport est signé par tous les membres de la Commission.

Si un des membres refuse de signer, mention en est faite; le rapport reste néanmoins valable.

ARTICLE 33.

The report is signed by all the members of the commission.

If one of the members refuses to sign, mention is made of the fact, but the report shall nevertheless be valid.

ARTICLE 34.

Le rapport de la Commission est lu en séance publique, les agents et les conseils des Parties présents ou dûment appelés.

Un exemplaire du rapport est remis à chaque Partie.

ARTICLE 34.

The report of the commission is read in a public session, the agents and counsel of the parties being present or duly summoned.

A copy of the report is delivered to each of the parties.

ARTICLE 35.

Le rapport de la Commission, limité à la constatation des faits, n'a nullement le caractère d'une

ARTICLE 35.

The report of the commission, which is confined to the determination of the facts, has by no means

sentence arbitrale. Il laisse aux Parties une entière liberté pour la suite à donner à cette constatation.

the character of an arbitral award. The parties are left at full liberty as to what action they are to take on the facts thus determined.

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ARTICLE 35.

Chaque Partie supporte ses propres frais et une part égale des frais de la Commission.

ARTICLE 36.

Each party bears its own expenses and an equal share of those of the commission.

TITRE IV. — DE L'ARBITRAGE INTERNATIONAL.

TITLE IV. — INTERNATIONAL ARBITRATION.

CHAPITRE I. — *De la Justice arbitrale.*

CHAPTER I. — *The system of arbitration.*

ARTICLE 37.

L'arbitrage international a pour objet le règlement de litiges entre les Etats par des juges de leur choix et sur la base du respect du droit.

Le recours à l'arbitrage implique l'engagement de se soumettre de bonne foi à la sentence.

ARTICLE 37.

International arbitration has for its object the settlement of differences between states by judges of their own choice, and on the basis of respect for law.

Recourse to arbitration implies an engagement to submit in good faith to the award.

ARTICLE 38.

Dans les questions d'ordre juridique, et en premier lieu, dans les questions d'interprétation ou d'application des Conventions internationales, l'arbitrage est reconnu par les Puissances contractantes comme le moyen le plus efficace et en même temps le plus équitable de régler les litiges qui n'ont pas été résolus par les voies diplomatiques.

ARTICLE 38.

In questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the contracting powers as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle.

En conséquence, il serait désirable que, dans les litiges sur les questions susmentionnées, les Puissances contractantes eussent, le cas échéant, recours à l'arbitrage, en tant que les circonstances le permettraient.

ARTICLE 39.

La Convention d'arbitrage est conclue pour des contestations déjà nées ou pour des contestations éventuelles.

Elle peut concerner tout litige ou seulement les litiges d'une catégorie déterminée.

ARTICLE 40.

Indépendamment des Traités généraux ou particuliers qui stipulent actuellement l'obligation du recours à l'arbitrage pour les Puissances contractantes, ces Puissances se réservent de conclure des accords nouveaux, généraux ou particuliers, en vue d'étendre l'arbitrage obligatoire à tous les cas qu'Elles jugeront possible de lui soumettre.

CHAPTIRE II. — *De la Cour permanente d'arbitrage.*

ARTICLE 41.

Dans le but de faciliter le recours immédiat à l'arbitrage pour les différends internationaux qui n'ont pu être réglés par la voie diplomatique, les Puissances contractantes s'engagent à maintenir, telle

Consequently, it is desirable that the contracting parties should, as far as circumstances permit, have recourse to arbitration in any controversies which may arise on the above-mentioned question.

ARTICLE 39.

The arbitration convention is concluded for questions already existing or for questions which may arise.

It may embrace any dispute or only disputes of a certain category.

ARTICLE 40.

Independently of general or private treaties expressly stipulating recourse to arbitration as obligatory on the contracting powers, these powers reserve to themselves the right of concluding new agreements, general or particular, with a view to extending obligatory arbitration to all cases which they may consider it possible to submit to it.

CHAPTER II. — *The Permanent Court of Arbitration.*

ARTICLE 41.

With the object of facilitating an immediate recourse to arbitration for international differences which it has not been possible to settle by diplomacy, the contracting powers undertake to maintain

qu'elle a été établie par la Première Conférence de la Paix, la Cour permanente d'arbitrage, accessible en tout temps et fonctionnant, sauf stipulation contraire des Parties, conformément aux règles de procédure insérées dans la présente Convention.

ARTICLE 42.

La Cour permanente est compétente pour tous les cas d'arbitrage, à moins qu'il n'y ait entente entre les Parties pour l'établissement d'une juridiction spéciale.

ARTICLE 43.

La Cour permanente a son siège à La Haye.

Un Bureau International sert de greffe à la Cour; il est l'intermédiaire des communications relatives aux réunions de celle-ci; il a la garde des archives et la gestion de toutes les affaires administratives.

Les Puissances contractantes s'engagent à communiquer au Bureau, aussitôt que possible, une copie certifiée conforme de toute stipulation d'arbitrage intervenue entre Elles et de toute sentence arbitrale Les concernant et rendue par des juridictions spéciales.

Elles s'engagent à communiquer de même au Bureau les lois, règlements et documents constatant éventuellement l'exécution des sentences rendues par la Cour.

the Permanent Court of Arbitration, as established by the First Peace Conference, accessible at all times and governed, unless otherwise stipulated by the parties, in accordance with the rules of procedure inserted in the present convention.

ARTICLE 42.

The Permanent Court is competent for all arbitration cases, unless the parties agree to institute a special tribunal.

ARTICLE 43.

The Permanent Court has its seat at The Hague.

The International Bureau serves as record office for the court; it is the channel for communications relative to the meetings of the court. It has the custody of the archives and conducts all the administrative business.

The contracting powers undertake to communicate to the Bureau as soon as possible a duly certified copy of any conditions of arbitration arrived at between them, and of any award concerning them delivered by special tribunals.

They undertake also to communicate to the Bureau the laws, regulations, and documents which may show the execution of the awards given by the court.

ARTICLE 44.

Chaque Puissance contractante désigne quatre personnes au plus, d'une compétence reconnue dans les questions de droit international, jouissant de la plus haute considération morale et disposées à accepter les fonctions d'arbitre.

Les personnes ainsi désignées sont inscrites, au titre de Membres de la Cour, sur une liste qui sera notifiée à toutes les Puissances contractantes par les soins du Bureau.

Toute modification à la liste des arbitres est portée, par les soins du Bureau à la connaissance de Puissances contractantes.

Deux ou plusieurs Puissances peuvent s'entendre pour la désignation en commun d'un ou de plusieurs Membres.

La même personne peut être désignée par des Puissances différentes.

Les Membres de la Cour sont nommés pour un terme de six ans. Leur mandat peut être renouvelé.

En cas de décès ou de retraite d'un Membre de la Cour, il est pourvu à son remplacement selon le mode fixé pour sa nomination, et pour une nouvelle période de six ans.

ARTICLE 45.

Lorsque les Puissances contractantes veulent s'adresser à la Cour

ARTICLE 44.

Each signatory power shall select four persons at the most, of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of arbitrators.

The persons thus selected are inscribed, as members of the court, in a list which shall be notified by the Bureau to all the contracting powers.

Any alteration in the list of arbitrators is brought by the Bureau to the knowledge of the contracting powers.

Two or more powers may agree on the selection in common of one or more members.

The same person can be selected by different powers.

The members of the court are appointed for a term of six years. Their appointments can be renewed.

In case of the death or retirement of a member of the court, his place shall be filled in accordance with the method of his appointment, for a new term of six years.

ARTICLE 45.

When the contracting powers desire to have recourse to the Perma-

permanente pour le règlement d'un différend survenu entre Elles, le choix des arbitres appelés à former le Tribunal compétent pour statuer sur ce différend, doit être fait dans la liste générale des Membres de la Cour.

A défaut de constitution du Tribunal arbitral par l'accord des Parties, il est procédé de la manière suivante:

Chaque Partie nomme deux arbitres, dont un seulement peut être son national ou choisi parmi ceux qui ont été désignés par Elle comme Membres de la Cour permanente. Ces arbitres choisissent ensemble un surarbitre.

En cas de partage des voix, le choix du surarbitre est confié à une Puissance tierce, désignée de commun accord par les Parties.

Si l'accord ne s'établit pas à ce sujet, chaque Partie désigne une Puissance différente et le choix du surarbitre est fait de concert par les Puissances ainsi désignées.

Si, dans un délai de deux mois, ces deux Puissances n'ont pu tomber d'accord, chacune d'Elles présente deux candidats pris sur la liste des Membres de la Cour permanente, en dehors des Membres désignés par les Parties et n'étant les nationaux d'aucune d'Elles. Le sort détermine lequel des candidats ainsi présentés sera le surarbitre.

nent Court for the settlement of a difference that has arisen between them, the arbitrators called upon to form the competent tribunal to decide this difference must be chosen from the general list of members of the court.

Failing the agreement of the parties on the composition of the Arbitration Tribunal, the following shall be pursued:

Each party appoints two arbitrators, of whom only one shall be its national, or chosen from among those who have been designated by it as members of the Permanent Court. These arbitrators together choose an umpire.

If the votes are equal, the choice of the umpire is intrusted to a third power, selected by the parties by common accord.

If an agreement is not arrived at on this subject, each party selects a different power, and the choice of the umpire is made in concert by the powers thus selected.

If these two powers have been unable to agree within a period of two months, each of them presents two candidates taken from the list of the members of the Permanent Court, outside of the members designated by the parties and not being the nationals of either of them. It shall be determined by lot which of the candidates thus presented shall be the umpire.

ARTICLE 46.

Dès que le Tribunal est composé les Parties notifient au Bureau leur décision de s'adresser à la Cour, le texte de leur compromis, et les noms des arbitres.

Le Bureau communique sans délai à chaque arbitre le compromis et les noms des autres Membres du Tribunal.

Le Tribunal se réunit à la date fixée par les Parties. Le Bureau pourvoit à son installation.

Les Membres du Tribunal, dans l'exercice de leurs fonctions et en dehors de leur pays, jouissent des privilèges et immunités diplomatiques.

ARTICLE 47.

Le Bureau est autorisé à mettre ses locaux et son organisation à la disposition des Puissances contractantes pour le fonctionnement de toute juridiction spéciale d'arbitrage.

La juridiction de la Cour permanente peut être étendue, dans les conditions prescrites par les règlements, aux litiges existant entre des Puissances non contractantes ou entre des Puissances contractantes et des Puissances non contractantes, si les Parties sont convenues de recourir à cette juridiction.

ARTICLE 46.

As soon as the tribunal is composed, the parties notify to the Bureau their decision to apply to the court the text of their *compromis* and the names of the arbitrators.

The Bureau communicates without delay to each arbitrator the *compromis* and the names of the other members of the tribunal.

The tribunal assembles on the date fixed by the parties. The Bureau provides for its installation.

The members of the court, in the discharge of their duties and out of their own country, enjoy diplomatic privileges and immunities.

ARTICLE 47.

The Bureau is authorized to place its premises and its staff at the disposal of the contracting powers for the use of any special board of arbitration.

The jurisdiction of the Permanent Court may, within the conditions laid down in the regulations, be extended to disputes between noncontracting powers, or between contracting powers and noncontracting powers, if the parties are agreed on recourse to this tribunal.

ARTICLE 48.

Les Puissances contractantes considèrent comme un devoir, dans les cas où un conflit aigu menacerait d'éclater entre deux ou plusieurs d'entre Elles, de rappeler à celles-ci que la Cour permanente leur est ouverte.

En conséquence, Elles déclarent que le fait de rappeler aux Parties en conflit les dispositions de la présente Convention, et le conseil donné, dans l'intérêt supérieur de la paix, de s'adresser à la Cour permanente, ne peuvent être considérés que comme actes de bons offices.

En cas de conflit entre deux Puissances, l'une d'Elles pourra toujours adresser au Bureau International une note contenant sa déclaration qu'Elle serait disposée à soumettre le différend à un arbitrage.

Le Bureau devra porter aussitôt la déclaration à la connaissance de l'autre Puissance.

ARTICLE 49.

Le Conseil administratif permanent, composé des Représentants diplomatiques des Puissances contractantes accrédités à La Haye et du Ministre des Affaires Etrangères des Pays-Bas, qui remplit les fonctions de Président, a la direction et le contrôle du Bureau International.

ARTICLE 48.

The contracting powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them.

Consequently, they declare that the fact of reminding the conflicting parties of the provisions of the present convention, and the advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions.

In case of a controversy between two powers, either one of them may always address to the International Bureau a note containing its declaration that it is willing to submit the difference to arbitration.

The Bureau shall immediately make the declaration known to the other power.

ARTICLE 49.

The Permanent Administrative Council, composed of the diplomatic representatives of the contracting powers accredited to The Hague and of the Netherlands Minister for Foreign Affairs, who acts as President, has the direction and control of the International Bureau.

Le Conseil arrête son règlement d'ordre ainsi que tous autres règlements nécessaires.

Il décide toutes les questions administratives qui pourraient surgir touchant le fonctionnement de la Cour.

Il a tout pouvoir quant à la nomination, la suspension ou la révocation des fonctionnaires et employés du Bureau.

Il fixe les traitements et salaires, et contrôle la dépense générale.

La présence de neuf membres dans les réunions dûment convoquées suffit pour permettre au Conseil de délibérer valablement. Les décisions sont prises à la majorité des voix.

Le Conseil communique sans délai aux Puissances contractantes les règlements adoptés par lui. Il leur présente chaque année un rapport sur les travaux de la Cour, sur le fonctionnement des services administratifs et sur les dépenses. Le rapport contient également un résumé du contenu essentiel des documents communiqués au Bureau par les Puissances en vertu de l'article 43 alinéas 3 et 4.

ARTICLE 50.

Les frais du Bureau seront supportés par les Puissances contractantes dans la proportion établie pour le Bureau international de l'Union postale universelle.

The Council settles its rules of procedure and all other necessary regulations.

It decides all questions of administration which may arise with regard to the carrying on of the work of the court.

It has entire control over the appointment, suspension, or dismissal of the officials and employés of the Bureau.

It fixes the payments and salaries, and controls the general expenditure.

At meetings duly summoned the presence of nine members is sufficient to render valid the discussions of the Council. The decisions are taken by a majority of votes.

The Council communicates to the contracting powers without delay the regulations adopted by it. It presents to them an annual report on the labors of the court, the working of the administration, and the expenses. The report also contains a summary of the substance of the documents communicated to the Bureau by the powers in virtue of article 43, paragraphs 3 and 4.

ARTICLE 50.

The expenses of the Bureau shall be borne by the contracting powers in the proportion fixed for the International Bureau of the Universal Postal Union.

Les frais à la charge des Puissances adhérents seront comptés à partir du jour où leur adhésion produit ses effets.

The expenses to be borne by the adhering powers shall be calculated from the date on which their adhesion takes effect.

CHAPITRE III. — *De la procédure arbitrale.*

CHAPTER III. — *Arbitral procedure.*

ARTICLE 51.

ARTICLE 51.

En vue de favoriser le développement de l'arbitrage, les Puissances contractantes ont arrêté les règles suivantes qui sont applicables à la procédure arbitrale, en tant que les Parties ne sont pas convenues d'autres règles.

With a view to encourage the development of arbitration, the contracting powers have agreed on the following rules which are applicable to arbitral procedure, unless other rules have been agreed on by the parties.

ARTICLE 52.

ARTICLE 52.

Les Puissances qui recourent à l'arbitrage signent un compromis dans lequel sont déterminés l'objet du litige, le délai de nomination des arbitres, la forme, l'ordre et les délais dans lesquels la communication visée par l'article 63 devra être faite, et le montant de la somme que chaque Partie aura à déposer à titre d'avance pour les frais.

The powers who have recourse to arbitration sign a *compromis* in which are set forth the subject of the difference, the period for the appointment of the arbitrators, the form, order, and periods within which the communication referred to in article 63 must be made, and the amount of money which each party must deposit in advance to cover expenses.

Le compromis détermine également, s'il y a lieu, le mode de nomination des arbitres, tous pouvoirs spéciaux éventuels du Tribunal, son siège, la langue dont il fera usage et celles dont l'emploi sera autorisé devant lui, et généralement toutes les conditions dont les Parties sont convenues.

The *compromis* shall also, if there is occasion, determine the manner of appointment of the arbitrators, all special powers which the tribunal may have, its seat, the language which it will use, and those whose use will be authorized before it, and, in general, all the conditions which the parties have agreed upon.

ARTICLE 53.

La Cour permanente est compétente pour l'établissement du compromis, si les Parties sont d'accord pour s'en remettre à elle.

Elle est également compétente, même si la demande est faite seulement par l'une des Parties, après qu'un accord par la voie diplomatique a été vainement essayé, quand il s'agit :

1°. d'un différend rentrant dans un Traité d'arbitrage général conclu ou renouvelé après la mise en vigueur de cette Convention et qui prévoit pour chaque différend un compromis et n'exclut pour l'établissement de ce dernier ni explicitement ni implicitement la compétence de la Cour. Toutefois, le recours à la Cour n'a pas lieu si l'autre Partie déclare qu'à son avis le différend n'appartient pas à la catégorie des différends à soumettre à un arbitrage obligatoire, à moins que le Traité d'arbitrage ne confère au Tribunal arbitral le pouvoir de décider cette question préalable ;

2°. d'un différend provenant de dettes contractuelles réclamées à une Puissance par une autre Puissance comme dues à ses nationaux, et pour la solution duquel l'offre d'arbitrage a été acceptée. Cette disposition n'est pas applicable si l'acceptation a été subordonnée à la condition que le compromis soit établi selon un autre mode.

ARTICLE 53.

The Permanent Court is competent to draw up the *compromis*, if the parties agree to leave this to it.

After an agreement through diplomatic channels has been attempted in vain, it is likewise competent, even if the request is made by only one of the parties in case —

(1) Of a difference comprised within a general arbitration treaty concluded or renewed after this convention goes into force, providing a compromise for each difference, and neither explicitly nor implicitly barring the competency of the court to draw up such *compromis*. However, recourse to the court shall not be had if the other party declares that the difference does not in its opinion belong to the category of differences to be submitted to compulsory arbitration, unless the arbitration treaty confers upon the Arbitral Tribunal the power to decide this preliminary question.

(2) Of a difference arising from contractual debts claimed by one power of another power as being due to its nationals, and for the solution of which the offer of arbitration has been accepted. This provision is not applicable if the acceptance has been made contingent on the condition that the *compromis* shall be drawn up in another manner.

ARTICLE 54.

Dans les cas prévus par l'article précédent, le compromis sera établi par une commission composée de cinq membres désignés de la manière prévue à l'article 45 alinéas 3 à 6.

Le cinquième membre est de droit Président de la commission.

ARTICLE 54.

In the case contemplated by the foregoing article, the *compromis* shall be prepared by a commission composed of five members designated in the manner provided in article 45, paragraphs 3 to 6.

The fifth member is *ex-officio* president of the commission.

ARTICLE 55.

Les fonctions arbitrales peuvent être conférées à un arbitre unique ou à plusieurs arbitres désignés par les Parties à leur gré, ou choisis par Elles parmi les Membres de la Cour permanente d'arbitrage établie par la présente Convention.

A défaut de constitution du Tribunal par l'accord des Parties, il est procédé de la manière indiquée à l'article 45 alinéas 3 à 6.

ARTICLE 55.

The duties of arbitrator may be conferred on one arbitrator alone or on several arbitrators selected by the parties as they please, or chosen by them from the members of the Permanent Court of Arbitration established by the present convention.

Failing the constitution of the tribunal by agreement between the parties, the course indicated in article 45, paragraphs 3 to 6, shall be followed.

ARTICLE 56.

Lorsqu'un Souverain ou un Chef d'Etat est choisi pour arbitre, la procédure arbitrale est réglée par Lui.

ARTICLE 56.

When a sovereign or the head of a state is chosen as arbitrator, the arbitral procedure is settled by him.

ARTICLE 57.

Le surarbitre est de droit Président du Tribunal.

Lorsque le Tribunal ne comprend pas de surarbitre, il nomme lui-même son Président.

ARTICLE 57.

The umpire is by right President of the tribunal.

When the tribunal does not include an umpire it appoints its own President.

ARTICLE 58.

En cas d'établissement du compromis par une commission, telle qu'elle est visée à l'article 54, et sauf stipulation contraire, la commission elle-même formera le Tribunal d'arbitrage.

ARTICLE 59.

En cas de décès, de démission ou d'empêchement, pour quelque cause que ce soit, de l'un des arbitres, il est pourvu à son remplacement selon le mode fixé pour sa nomination.

ARTICLE 60.

A défaut de désignation par les Parties, le Tribunal siège à La Haye.

Le Tribunal ne peut siéger sur le territoire d'une tierce Puissance qu'avec l'assentiment de celle-ci.

Le siège une fois fixé ne peut être changé par le Tribunal qu'avec l'assentiment des Parties.

ARTICLE 61.

Si le compromis n'a pas déterminé les langues à employer, il en est décidé par le Tribunal.

ARTICLE 62.

Les Parties ont le droit de nommer auprès du Tribunal des agents spéciaux, avec la mission de servir

ARTICLE 58.

In case the *compromis* is drawn up by a commission, as provided in article 54, the commission shall, unless otherwise stipulated, itself constitute the Tribunal of Arbitration.

ARTICLE 59.

In case of the death, retirement, or disability from any cause of one of the arbitrators, his place shall be filled in accordance with the method of his appointment.

ARTICLE 60.

If the parties fail to designate a place the tribunal sits at The Hague.

The tribunal shall not hold its session in the territory of a third power except with the consent of the latter.

Once the place is fixed, it can not be changed by the tribunal without the assent of the parties.

ARTICLE 61.

If the languages to be used have not been determined in the *compromis*, this matter shall be decided by the tribunal.

ARTICLE 62.

The parties have the right to appoint special agents to attend the tribunal, for the purpose of serving

d'intermédiaires entre Elles et le Tribunal.

Elles sont en outre autorisées à charger de la défense de leurs droits et intérêts devant le Tribunal, des conseils ou avocats nommés par Elles à cet effet.

Les Membres de la Cour permanente ne peuvent exercer les fonctions d'agents, conseils ou avocats, qu'en faveur de la Puissance qui les a nommés Membres de la Cour.

ARTICLE 63.

La procédure arbitrale comprend en règle générale deux phases distinctes: l'instruction écrite et les débats.

L'instruction écrite consiste dans la communication faite par les agents respectifs, aux membres du Tribunal et à la Partie adverse, des mémoires, des contre-mémoires et, au besoin, des répliques; les Parties y joignent toutes pièces et documents invoqués dans la cause. Cette communication aura lieu, directement ou par l'intermédiaire du Bureau International, dans l'ordre et dans les délais déterminés par le compromis.

Les délais fixés par le compromis pourront être prolongés de commun accord par les Parties, ou par le Tribunal quand il le juge nécessaire pour arriver à une décision juste.

as intermediaries between them and the tribunal.

They are further authorized to retain, for the defense of their rights and interests before the tribunal, counsel or advocates appointed by them for this purpose.

The members of the Permanent Court shall not act as agents, counsel or attorneys except for the power which has appointed them members of the court.

ARTICLE 63.

As a general rule the arbitral procedure comprises two distinct phases — preliminary examination and discussion.

The written preliminary examination consists of the communication by the respective agents, to the members of the tribunal and to the opposite party, of the mémoires and counter mémoires and, if necessary, the replies. The parties annex thereto all the papers and documents produced in the case. This communication shall be made either directly or through the International Bureau, in the order and within the periods determined in the *compromis*.

The periods fixed in the *compromis* may be prolonged by common consent of the parties, or by the tribunal when it deems it necessary in order to reach a just decision.

Les débats consistent dans le développement oral des moyens des Parties devant le Tribunal.

ARTICLE 64.

Toute pièce produite par l'une des Parties doit être communiquée, en copie certifiées conforme, à l'autre Partie.

ARTICLE 65.

A moins de circonstances spéciales, le Tribunal ne se réunit qu'après la clôture de l'instruction.

ARTICLE 66.

Les débats sont dirigés par le Président.

Ils ne sont publics qu'en vertu d'une décision du Tribunal, prise avec l'assentiment des Parties.

Ils sont consignés dans des procès-verbaux rédigés par des secrétaires que nomme le Président. Ces procès-verbaux sont signés par le Président et par un des secrétaires; ils ont seuls caractère authentique.

ARTICLE 67.

L'instruction étant close, le Tribunal a le droit d'écarter du débat tous actes ou documents nouveaux qu'une des Parties voudrait lui soumettre sans le consentement de l'autre.

Discussion consists in the oral development before the tribunal of the arguments of the parties.

ARTICLE 64.

Every document produced by one party must be communicated in the form of a certified copy to the other party.

ARTICLE 65.

Except under special circumstances, the tribunal shall not assemble until after the conclusion of the preliminary examination.

ARTICLE 66.

The discussions are under the direction of the President.

They are only public if it be so decided by the tribunal, with the assent of the parties.

They are recorded in the *procès-verbaux* drawn up by the secretaries appointed by the President. These *procès-verbaux* are signed by the President and one of the secretaries, and alone have an authentic character.

ARTICLE 67.

When the preliminary examination is concluded, the tribunal has the right to refuse discussion of all fresh acts or documents which one party may desire to submit to it without the consent of the other party.

ARTICLE 68.

Le Tribunal demeure libre de prendre en considération les actes ou documents nouveaux sur lesquels les agents ou conseils des Parties appelleraient son attention.

En ce cas, le Tribunal a le droit de requérir la production de ces actes ou documents, sauf l'obligation d'en donner connaissance à la Partie adverse.

ARTICLE 68.

The tribunal is free to take into consideration fresh acts or documents to which its attention may be drawn by the agents or counsel of the parties.

In this case, the tribunal has the right to require the production of these acts or documents, but is obliged to make them known to the opposite party.

ARTICLE 69.

Le Tribunal peut, en outre, requérir des agents des Parties la production de tous actes et demander toutes explications nécessaires. En cas de refus, le Tribunal en prend acte.

ARTICLE 69.

The tribunal can, besides, require from the agents of the parties the production of all acts, and can demand all necessary explanations. In case of refusal, the tribunal takes note of it.

ARTICLE 70.

Les agents et les conseils des Parties sont autorisés à présenter oralement au Tribunal tous les moyens qu'ils jugent utiles à la défense de leur cause.

ARTICLE 70.

The agents and counsel of the parties are authorized to present orally to the tribunal all the arguments they may think expedient in defense of their case.

ARTICLE 71.

Ils ont le droit de soulever des exceptions et des incidents. Les décisions du Tribunal sur ces points sont définitives et ne peuvent donner lieu à aucune discussion ultérieure.

ARTICLE 71.

They have the right to raise objection and points. These decisions of the tribunal on those points are final, and can not form the subject of any subsequent discussion.

ARTICLE 72.

Les membres du Tribunal ont le droit de poser des questions aux

ARTICLE 72.

The members of the tribunal have the right to put questions to

agents et aux conseils des Parties et de leur demander des éclaircissements sur les points douteux.

Ni les questions posées, ni les observations faites par les membres du Tribunal pendant le cours des débats ne peuvent être regardées comme l'expression des opinions du Tribunal en général ou de ses membres en particulier.

ARTICLE 73.

Le Tribunal est autorisé à déterminer sa compétence en interprétant le compromis ainsi que les autres Traités qui peuvent être invoqués dans la matière, et en appliquant les principes du droit.

ARTICLE 74.

Le Tribunal a le droit de rendre des ordonnances de procédure pour la direction du procès, de déterminer les formes, l'ordre et les délais dans lesquels chaque Partie devra prendre ses conclusions finales, et de procéder à toutes les formalités que comporte l'administration des preuves.

ARTICLE 75.

Les Parties s'engagent à fournir au Tribunal, dans la plus large mesure qu'Elles jugeront possible, tous les moyens nécessaires pour la décision du litige.

the agents and counsel of the parties, and to demand explanations from them on doubtful points.

Neither the questions put nor the remarks made by members of the tribunal during the discussions can be regarded as an expression of opinion by the tribunal in general, or by its members in particular.

ARTICLE 73.

The tribunal is authorized to declare its competence in interpreting the *compromis* as well as the other treaties which may be invoked in the case, and in applying the principles of law.

ARTICLE 74.

The tribunal has the right to issue rules of procedure for the conduct of the case, to decide the order and the periods within which each party must conclude its final arguments, and to arrange all the formalities required for dealing with the evidence.

ARTICLE 75.

The parties agree to furnish to the tribunal, as far as they deem possible, all the means necessary for the decision of the controversy.

ARTICLE 76.

Pour toutes les notifications que le Tribunal aurait à faire sur le territoire d'une tierce Puissance contractante, le Tribunal s'adressera directement au Gouvernement de cette Puissance. Il en sera de même s'il s'agit de faire procéder sur place à l'établissement de tous moyens de preuve.

Les requêtes adressées à cet effet seront exécutées suivant les moyens dont la Puissance requise dispose d'après sa législation intérieure. Elles ne peuvent être refusées que si cette Puissance les juge de nature à porter atteinte à sa souveraineté ou à sa sécurité.

Le Tribunal aura aussi toujours la faculté de recourir à l'intermédiaire de la Puissance sur le territoire de laquelle il a son siège.

ARTICLE 77.

Les agents et les conseils des Parties ayant présenté tous les éclaircissements et preuves à l'appui de leur cause, le Président prononce la clôture des débats.

ARTICLE 78.

Les délibérations du Tribunal ont lieu à huis clos et restent secrètes.

Toute décision est prise à la majorité de ses membres.

ARTICLE 76.

All notifications which the tribunal may have to make in the territory of a third contracting power shall be addressed by it directly to the government of that power. The same course shall be pursued if it is necessary to proceed to the spot in order to gather any kind of evidence.

Requests made for this purpose shall be complied with as far as the means at the disposal of the power requested permit in conformity with its internal legislation. They shall not be refused unless the power deems them of such a nature as to impair its sovereignty or jeopardize its security.

The tribunal shall also have a right to request the power in whose territory it has its seat to act as intermediary.

ARTICLE 77.

When the agents and counsel of the parties have presented all the explanations and evidence in support of their case, the President declares the discussion closed.

ARTICLE 78.

The deliberations of the tribunal takes place with closed doors and remain secret.

All decisions shall be reached by a majority of its members.

ARTICLE 79.

La sentence arbitrale est motivée. Elle mentionne les noms des arbitres; elle est signée par le Président et par le greffier ou le secrétaire faisant fonctions de greffier.

ARTICLE 79.

The arbitral award shall state the reasons on which it is based. It shall mention the names of the arbitrators, and shall be signed by the President and by the recording clerk or the secretary acting as such.

ARTICLE 80.

La sentence est lue en séance publique, les agents et les conseils des Parties présents ou dûment appelés.

ARTICLE 80.

The award shall be read in a public session, the agents and counsel of the parties being present or duly summoned.

ARTICLE 81.

La sentence, dûment prononcée et notifiée aux agents des Parties, décide définitivement et sans appel la contestation.

ARTICLE 81.

The award, duly pronounced and made known to the agents of the parties, shall decide the dispute definitively and beyond appeal.

ARTICLE 82.

Tout différend qui pourrait surgir entre les Parties, concernant l'interprétation et l'exécution de la sentence, sera, sauf stipulation contraire, soumis au jugement du Tribunal qui l'a rendue.

ARTICLE 82.

Any difference which may arise between the parties regarding the interpretation and execution of the award shall, unless otherwise stipulated, be submitted to the judgment of the tribunal which rendered the award.

ARTICLE 83.

Les Parties peuvent se réserver dans le compromis de demander la révision de la sentence arbitrale.

Dans ce cas, et sauf stipulation contraire, la demande doit être adressée au Tribunal qui a rendu

ARTICLE 83.

In the *compromis* the parties may reserve the right to demand the review of the award.

In this case, and unless otherwise stipulated, the demand should be addressed to the tribunal which

la sentence. Elle ne peut être motivée que par la découverte d'un fait nouveau qui eût été de nature à exercer une influence décisive sur la sentence et qui, lors de la clôture des débats, était inconnu du Tribunal lui-même et de la Partie qui a demandé la révision.

La procédure de révision ne peut être ouverte que par une décision du Tribunal constatant expressément l'existence du fait nouveau, lui reconnaissant les caractères prévus par le paragraphe précédent et déclarant à ce titre la demande recevable.

Le compromis détermine le délai dans lequel la demande de révision doit être formée.

ARTICLE 84.

La sentence arbitrale n'est obligatoire que pour les Parties en litige.

Lorsqu'il s'agit de l'interprétation d'une convention à laquelle ont participé d'autres Puissances que les Parties en litige, celles-ci avertissent en temps utile toutes les Puissances signataires. Chacune de ces Puissances a le droit d'intervenir au procès. Si une ou plusieurs d'entre Elles ont profité de cette faculté, l'interprétation contenue dans la sentence est également obligatoire à leur égard.

rendered the award. The only ground on which it can be based shall be the discovery of a new fact which would have been likely to exert a decisive influence on the award, and which, at the time the discussion was closed, was unknown to the tribunal itself and to the party asking for the review.

The proceedings in review can only be begun by virtue of a decision of the tribunal expressly admitting the existence of the new fact, recognizing it to be of the nature required in the foregoing paragraph, and declaring the demand to be allowable on this ground.

The *compromis* shall specify the period within which the appeal for review must be filed.

ARTICLE 84.

The arbitral award shall be binding only on the parties in litigation.

When it is a question of interpreting a convention in which other powers than those in litigation have participated, the latter shall notify all the contracting powers in due time. Each of these powers has a right to take part in the proceedings. If one or more of them avail themselves of this privilege, the interpretation given in the award shall likewise be binding with regard to them.

ARTICLE 85.

Chaque Partie supporte ses propres frais et une part égale des frais du Tribunal.

ARTICLE 85.

Each party bears its own expenses and an equal share of the expenses of the tribunal.

CHAPITRE IV. — *De la procédure sommaire d'arbitrage.*CHAPTER IV. — *Summary arbitration procedure.*

ARTICLE 86.

En vue de faciliter le fonctionnement de la justice arbitrale, lorsqu'il s'agit de litiges de nature à comporter une procédure sommaire, les Puissances contractantes arrêtent les règles ci-après qui seront suivies en l'absence de stipulations différentes, et sous réserve, le cas échéant, de l'application des dispositions du chapitre III qui ne seraient pas contraires.

ARTICLE 86.

With a view to facilitating the administration of justice by arbitration, in case of controversies of such a nature as to be adapted to a summary procedure, the contracting powers adopt the following rules, which shall be followed in the absence of different stipulations, and provided that, in the proper case, the provisions of Chapter II which do not conflict therewith shall be applied.

ARTICLE 87.

Chacune des Parties en litige nomme un arbitre. Les deux arbitres ainsi désignés choisissent un surarbitre. S'ils ne tombent pas d'accord à ce sujet, chacun présente deux candidats pris sur la liste générale des Membres de la Cour permanente, en dehors des Membres indiqués par chacune des Parties Elles-mêmes et n'étant les nationaux d'aucune d'Elles; le sort détermine lequel des candidats ainsi présentés sera le surarbitre.

ARTICLE 87.

Each of the parties in litigation appoints an arbitrator. The two arbitrators thus designated select an umpire. If they do not agree on this point, each presents two candidates taken from the general list of the members of the Permanent Court, outside of the members designated by each of the parties themselves and not being the nationals of either of them. Lots shall then be drawn to determine which of the candidates thus presented shall be umpire.

Le surarbitre préside le Tribunal, qui rend ses décisions à la majorité des voix.

The umpire presides over the tribunal, which shall give its decisions by a majority of votes.

ARTICLE 88.

A défaut d'accord préalable, le Tribunal fixe, dès qu'il est constitué, le délai dans lequel les deux Parties devront lui soumettre leurs mémoires respectifs.

ARTICLE 88.

In default of a previous agreement, the tribunal shall, as soon as appointed, fix the period within which the two parties must submit their respective cases to it.

ARTICLE 89.

Chaque Partie est représentée devant le Tribunal par un agent qui sert d'intermédiaire entre le Tribunal et le Gouvernement qui l'a désigné.

ARTICLE 89.

Each party is represented before the tribunal by an agent, who acts as intermediary between the tribunal and the government appointing him.

ARTICLE 90.

La procédure a lieu exclusivement par écrit. Toutefois, chaque Partie a le droit de demander la comparution de témoins et d'experts. Le Tribunal a, de son côté, la faculté de demander des explications orales aux agents des deux Parties, ainsi qu'aux experts et aux témoins dont il juge la comparution utile.

ARTICLE 90.

The proceedings shall take place exclusively in writing. However, each party has a right to require the appearance of witnesses and experts. The tribunal shall, in turn, have a right to demand oral explanations from the agents of the two parties, as well as from the witnesses and experts the calling of whom it deems necessary.

TITRE V. — DISPOSITIONS
FINALES.

ARTICLE 91.

La présente Convention dûment ratifiée remplacera, dans les rapports entre les Puissances con-

TITLE V. — FINAL PROVISIONS.

ARTICLE 91.

The present convention, duly ratified, shall supersede, in the relations among the contracting

tractantes, la Convention pour le règlement pacifique des conflits internationaux du 29 juillet 1899.

ARTICLE 92.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas et par la voie diplomatique, aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement Leur fera connaître en même temps la date à laquelle il a reçu la notification.

powers, the convention for the pacific settlement of international disputes of July 29, 1899.

ARTICLE 92.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded by means of a *procès-verbal* signed by the representatives of the powers taking part therein and by the Minister for Foreign Affairs of the Netherlands.

Subsequent deposits of ratifications shall be effected by means of a notification in writing, addressed to the Government of the Netherlands and accompanied by the instrument of ratification.

A copy, duly certified, of the *procès-verbal*, relative to the first deposition of the ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instrument of ratification, shall be at once forwarded by the Government of the Netherlands through the diplomatic channel to the powers invited to the Second Peace Conference, as well as to the other powers who shall have adhered to the convention. In the cases coming under the foregoing paragraph the said Government shall, at the same time, make known to them the date on which it received the notification.

ARTICLE 93.

Les Puissances non signataires qui ont été conviées à la Deuxième Conférence de la Paix pourront adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances conviées à la Deuxième Conférence de la Paix copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 94.

Les conditions auxquelles les Puissances qui n'ont pas été conviées à la Deuxième Conférence de la Paix, pourront adhérer à la présente Convention, formeront l'objet d'une entente ultérieure entre les Puissances contractantes.

ARTICLE 95.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou

ARTICLE 93.

The nonsignatory powers who were invited to the Second Peace Conference can adhere to the present convention.

The power which desires to adhere notifies its intention in writing to the Government of the Netherlands and transmits to it the act of adhesion, which shall be deposited in the archives of the said Government.

That Government shall immediately transmit to all the other powers invited to the Second Peace Conference a duly certified copy of the notification as well as of the act of adhesion, and indicate the date on which it received the notification.

ARTICLE 94.

The conditions on which the powers who were not invited to the Second Peace Conference can adhere to the present convention shall form the subject of a subsequent agreement among the contracting powers.

ARTICLE 95.

The present convention shall go into effect, as regards the powers that shall have taken part in the first deposit of ratifications, sixty days after the date of the *procès-verbal* of deposit, and, as regards the powers that shall subsequently

qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 96.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 97.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 92 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 93 alinéa 2) ou de dénonciation (article 96 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

ratify or adhere, sixty days after the receipt of their notifications or adhesion by the Government of the Netherlands.

ARTICLE 96.

In the event of one of the contracting parties wishing to denounce the present convention, this denunciation shall be notified in writing to the Government of the Netherlands, which shall immediately communicate a duly certified copy of the notification to all the other powers, making the date of its receipt known to them.

The denunciation shall take effect only as regards the power that shall have notified it and one year after the notification shall have reached the Government of the Netherlands.

ARTICLE 97.

A register kept by the Ministry for Foreign Affairs of the Netherlands shall indicate the date of the deposit of the ratifications effected under article 92, paragraphs 3 and 4, as well as the date of receipt of the notifications of adhesion (article 93, paragraph 2); or of denunciation (article 96, paragraph 1).

Each contracting power may have access to the register and ask to be furnished with duly certified excerpts.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies certifiées conformes, seront remises par la voie diplomatique aux Puissances contractantes.

In faith of which the plenipotentiaries have affixed their signatures to the present convention.

Done at The Hague the 18th of October, 1907, in a single copy, which shall remain deposited in the archives of the Government of the Netherlands, and copies of it, duly certified, shall be sent through the diplomatic channels to the contracting powers.

[TRANSLATION.]

Convention concernant la limitation de l'emploi de la force pour le recouvrement de dettes contractuelles.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Désireux d'éviter entre les nations des conflits armés d'une origine pécuniaire, provenant de dettes contractuelles, réclamées au Gouvernement d'un pays par le Gouvernement d'un autre pays comme dues à ses nationaux,

Ont résolu de conclure une Convention à cet effet et ont nommé pour Leurs Plénipotentiaires, savoir:

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

Convention Respecting the Limitation of the Employment of Force for the Recovery of Contract Debts.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Being desirous of avoiding between nations armed conflicts of a pecuniary origin arising from contract debts, which are claimed from the government of one country by the government of another country as due to its nationals, have resolved to conclude a convention to this effect, and have appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE PREMIER.

Les Puissances contractantes sont convenues de ne pas avoir recours à la force armée le recouvrement de dettes contractuelles réclamées au Gouvernement d'un pays par le Gouvernement d'un autre pays comme dues à ses nationaux.

Toutefois, cette stipulation ne pourra être appliquée quand l'Etat débiteur refuse ou laisse sans réponse une offre d'arbitrage, ou, en cas d'acceptation, rend impossible l'établissement du compromis, ou, après l'arbitrage, manque de se conformer à la sentence rendue.

ARTICLE 2.

Il est de plus convenu que l'arbitrage, mentionné dans l'alinéa 2 de l'article précédent, sera soumis à la procédure prévue par le titre IV chapitre III de la Convention de La Haye pour le règlement pacifique des conflits internationaux. Le jugement arbitral détermine, sauf les arrangements particuliers des Parties, le bienfondé de la réclamation, le montant de la dette, le temps et le mode de paiement.

ARTICLE 3.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

ARTICLE 1.

The contracting powers agree not to have recourse to armed force for the recovery of contract debts claimed from the government of one country by the government of another country as being due to its nationals.

This undertaking is, however, only applicable when the debtor state refuses or neglects to reply to an offer of arbitration, or, after accepting the offer, prevents any "compromis" from being agreed on, or, after the arbitration, fails to submit to the award.

ARTICLE 2.

It is further agreed that the arbitration mentioned in paragraph 2 of the foregoing article shall be subject to the procedure laid down in Title IV, Chapter III, of the Hague convention for the pacific settlement of international disputes. The award shall determine, except where otherwise agreed between the parties, the validity of the claim, the amount of the debt, and the time and mode of payment.

ARTICLE 3.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas et par la voie diplomatique, aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 4.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissances qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers taking part therein and by the Netherlands Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the case contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 4.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies its intention in writing to the Netherlands Government, forwarding to it the act of

sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances conviées à la Deuxième Conférence de la Paix copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 5.

La présente Convention produira effet pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 6.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance

adhesion, which shall be deposited in the archives of the said Government.

The said Government shall forward immediately to all the other powers invited to the Second Peace Conference a duly certified copy of the notification, as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 5.

The present convention shall come into force in the case of the powers which were a party to the first deposit of ratifications sixty days after the *procès-verbal* of that deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification has been received by the Netherlands Government.

ARTICLE 6.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying

qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

power, and one year after the notification has reached the Netherlands Government.

ARTICLE 7.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 3 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 4 alinéa 2) ou de dénonciation (article 6 alinéa 1).

Chaque Puissances contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies certifiées conformes seront remises par la voie diplomatique aux Puissances contractantes.

ARTICLE 7.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 3, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 4, paragraph 2) or of denunciation (article 6, paragraph 1) were received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent to the contracting powers through the diplomatic channel.

[TRANSLATION.]

Convention relative à l'Ouverture des Hostilités.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Considérant que, pour la sécurité

Convention Relative to the Opening of Hostilities.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Considering that, for the secur-

des relations pacifiques, il importe que les hostilités ne commencent pas sans un avertissement préalable;

Qu'il importe, de même, que l'état de guerre soit notifié sans retard aux Puissances neutres;

Désirant conclure une Convention à cet effet, ont nommé pour Leurs Plénipotentiaires, savoir:

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en borne et due forme, sont convenus des dispositions suivantes:

ARTICLE PREMIER.

Les Puissances contractantes reconnaissent que les hostilités entre elles ne doivent pas commencer sans un avertissement préalable et non équivoque, qui aura, soit la forme d'une déclaration de guerre motivée, soit celle d'un ultimatum avec déclaration de guerre conditionnelle.

ARTICLE 2.

L'état de guerre devra être notifié sans retard aux Puissances neutres et ne produira effet à leur égard qu'après réception d'une notification qui pourra être faite

ity of peaceful relations, it is important that hostilities shall not begin without a previous notice; and

That it is likewise important that a state of war shall be made known without delay to the neutral powers; and

Being desirous of concluding a convention for this purpose, have appointed as their plenipotentiaries, to wit:

[Names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed on the following provisions:

ARTICLE 1.

The contracting powers agree that hostilities between them should not begin without a previous unequivocal notice, which shall either be in the form of a declaration of war with reasons therefor, or of an ultimatum with a conditional declaration of war.

ARTICLE 2.

A state of war shall be made known without delay to the neutral powers, and shall not be effective with regard to them until they receive a notice, which may even be

même par voie télégraphique. Toutefois les Puissances neutres ne pourraient invoquer l'absence de notification, s'il était établi d'une manière non douteuse qu'en fait elles connaissaient l'état de guerre.

ARTICLE 3.

L'article 1 de la présente Convention produira effet en cas de guerre entre deux ou plusieurs des Puissances contractantes.

L'article 2 est obligatoire dans les rapports entre un belligérant contractant et les Puissances neutres également contractantes.

ARTICLE 4.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent

given by telegraph. However, the neutral powers can not use the lack of a notice as a pretext if it should be proven beyond doubt that they really knew of the state of war.

ARTICLE 3.

Article 1 of the present convention shall be applicable in case of war between two or more of the contracting powers.

Article 2 shall be binding in the relations between a contracting belligerent and neutral powers which are also contracting parties.

ARTICLE 4.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be entered on a record signed by the representatives of the powers taking part therein and by the Minister for Foreign Affairs of the Netherlands.

Subsequent deposits of ratifications shall be made by means of a written notice sent to the Netherlands Government and accompanied by the instrument of ratification.

Certified copies of the record of the first deposit of ratifications, of the notices mentioned in the foregoing paragraph, and of the instru-

ainsi que des instruments de ratification, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 5.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 6.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, et, pour les Puissances qui

ments of ratification shall be immediately sent by the Netherlands Government through diplomatic channels to the powers invited to the Second Peace Conference, as well as to the other powers which shall have adhered to the convention. In the cases referred to in the foregoing paragraph, the said Government shall also inform them of the date on which it has received the notice.

ARTICLE 5.

The nonsignatory powers shall be permitted to adhere to the present convention.

A power desiring to adhere shall make its intention known in writing to the Netherlands Government by transmitting to it the document of adhesion, which shall be filed in the archives of said Government.

The said Government shall immediately transmit to the other powers a certified copy of the notice, as well as of the document of adhesion, mentioning the date on which it has received the notice.

ARTICLE 6.

The present convention shall take effect, with regard to the powers which have participated in the first deposit of ratifications, sixty days after the date of the record of said deposit, and, with

ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçu par le Gouvernement des Pays-Bas.

ARTICLE 7.

S'il arrivait qu'une des Hautes Parties contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 8.

Un registre tenu par le Ministère des Affaires Étrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 4 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 5 alinéa 2) ou de dénonciation (article 7 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance

regard to the powers which may ratify or adhere subsequently, sixty days after the notice of their ratification or adhesion shall have been received by the Netherlands Government.

ARTICLE 7.

If it should happen that one of the high contracting parties wished to denounce the present convention, the denunciation shall be notified in writing to the Government of the Netherlands, which shall immediately transmit a certified copy of the notification to all the other powers, stating the date on which it has received it.

The denunciation shall take effect only with regard to the power which has made it, and not until one year after the notice thereof reaches the Government of the Netherlands.

ARTICLE 8.

A register kept by the Ministry for Foreign Affairs of the Netherlands shall show the date of the deposit of ratifications made in pursuance to article 4, paragraphs 3 and 4, as well as the date on which the notices of adhesion (article 5, paragraph 2) or of denunciation (article 7, paragraph 1) have been received.

Each contracting power is entitled to have access to this register

de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le six-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

and to demand certified copies therefrom.

In witness whereof the plenipotentiaries have affixed their signatures to the present convention.

Done at The Hague, the 18th day of October, 1907, in a single copy, which shall remain on file in the archives of the Netherlands Government, and of which certified copies shall be transmitted through diplomatic channels to the powers which were invited to the Second Peace Conference.

[TRANSLATION.]

Convention Concernant les Lois et Coutumes de la Guerre sur Terre.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Considérant que, tout en recherchant les moyens de sauvegarder la paix et de prévenir les conflits armés entre les nations, il importe de se préoccuper également du cas où l'appel aux armes serait amené par des événements que leur sollicitude n'aurait pu détourner;

Animés du désir de servir encore, dans cette hypothèse extrême, les intérêts de l'humanité et les exigences toujours progressives de la civilisation;

Estimant qu'il importe, à cette fin, de réviser les lois et coutumes générales de la guerre, soit dans le

Convention Regarding the Laws and Customs of Land Warfare.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Considering that, though seeking the means to preserve peace and prevent armed conflicts among nations, it is important to provide for the event in which an appeal to arms may be rendered necessary by occurrences which their efforts have been unable to prevent;

Being animated by the desire to serve, in this extreme hypothesis, the interests of humanity and the ever-progressing demands of civilization;

Considering it important, for this purpose, to revise the general laws and customs of warfare, either

but de les définir avec plus de précision, soit afin d'y tracer certaines limites destinées à en restreindre autant que possible les rigueurs;

Ont jugé nécessaire de compléter et de préciser sur certains points l'oeuvre de la Première Conférence de la Paix qui, s'inspirant, à la suite de la Conférence de Bruxelles de 1874, de ces idées recommandées par une sage et généreuse prévoyance, a adopté des dispositions ayant pour objet de définir et de régler les usages de la guerre sur terre.

Selon les vues des Hautes Parties contractantes, ces dispositions, dont la rédaction a été inspirée par le désir de diminuer les maux de la guerre, autant que les nécessités militaires le permettent, sont destinées à servir de règle générale de conduite aux belligérants, dans leurs rapports entre eux et avec les populations.

Il n'a pas été possible toutefois de concerter dès maintenant des stipulations s'étendant à toutes les circonstances qui se présentent dans la pratique;

D'autre part, il ne pouvait entrer dans les intentions des Hautes Parties contractantes que les cas non prévus fussent, faute de stipulation écrite, laissées à l'appréciation arbitraire de ceux qui dirigent les armées.

En attendant qu'un Code plus complet des lois de la guerre

in order to define them more precisely or to set certain limits to them with a view to diminishing their rigors as far as possible;

Have deemed it necessary to supplement and define more precisely in certain respects the work of the First Peace Conference, which, being inspired as a result of the Brussels Conference of 1874 with those ideas suggested by a wise and generous foresight, adopted provisions for the sake of defining and regulating the usages of land warfare.

According to the views of the high contracting parties, these provisions, which are prepared in obedience to a desire to diminish the evils of war as far as military necessities permit, are destined to serve as a general rule of conduct for the belligerents in their relations with one another and with the inhabitants.

However, it has been impossible to devise rules at once which will apply to all the circumstances arising in actual practice.

On the other hand, it could not be the intention of the high contracting parties that unforeseen cases should, for want of a written stipulation, be left to the arbitrary judgment of the leaders of armies.

Pending the preparation of a more complete code of the laws of

puisse être édicté, les Hautes Parties contractantes jugent opportun de constater que, dans les cas non compris dans les dispositions réglementaires adoptées par Elles, les populations et les belligérants restent sous la sauvegarde et sous l'empire des principes du droit des gens, tels qu'ils résultent des usages établis entre nations civilisées, des lois de l'humanité et des exigences de la conscience publique.

Elles déclarent que c'est dans ce sens que doivent s'entendre notamment les articles 1 et 2 du Règlement adopté.

Les Hautes Parties contractantes, désirant conclure une nouvelle Convention cet effet, ont nommé pour Leurs Plenipotentiaires, savoir :

[Designation des Plenipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

ARTICLE PREMIER.

Les Puissances contractantes donneront à leurs forces armées de terre des instructions qui seront conformes au Règlement concernant les lois et coutumes de la guerre sur terre, annexé à la présente Convention.

war, the high contracting parties deem it opportune to state that, in the cases not provided for in the rules adopted by them, the inhabitants and the belligerents shall remain under the protection of and subject to the principles of the law of nations, as established by the usages prevailing among civilized nations, by the laws of humanity, and by the demands of public conscience.

They declare that these considerations are particularly to be borne in mind in relation to articles 1 and 2 of the regulations adopted.

The high contracting parties, desiring to conclude a new convention for this purpose, have appointed as their plenipotentiaries, to wit :

[Names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed on the following :

ARTICLE 1.

The contracting powers shall furnish their armed land forces with instructions which shall be in accordance with the regulations regarding the laws and customs of land warfare annexed to the present convention.

ARTICLE 2.

Les dispositions contenues dans le Règlement visé à l'article 1^{er} ainsi que dans la présente Convention, ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 2.

The provisions contained in the regulations referred to in article 1, as well as those of the present convention, shall be applicable only among the contracting powers and only when the belligerents are all parties to the convention.

ARTICLE 3.

La Partie belligérante qui violerait les dispositions dudit Règlement sera tenue à indemnité, s'il y a lieu. Elle sera responsable de tous actes commis par les personnes faisant partie de sa force armée.

ARTICLE 3.

The contracting party, when belligerent, who violates the provisions of said regulations shall be obliged to pay indemnity, if there is occasion therefor. It shall be responsible for all acts committed by persons forming part of its armed forces.

ARTICLE 4.

La présente Convention dûment ratifiée remplacera, dans les rapports entre les Puissances contractantes, la Convention du 29 juillet 1899 concernant les lois et coutumes de la guerre sur terre.

La Convention de 1899 reste en vigueur dans les rapports entre les Puissances qui l'ont signée et qui ne ratifieraient pas également la présente Convention.

ARTICLE 4.

The present convention, duly ratified, shall, in the relations among the contracting parties, supersede the convention of July 29, 1899, regarding the laws and customs of land warfare.

The convention of 1899 shall remain in force with regard to the relations among the powers which signed it and which do not also ratify the present convention.

ARTICLE 5.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

ARTICLE 5.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent ainsi que des instruments de ratification, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 6.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion

The first deposit of ratifications shall be noted on a record signed by the representatives of the powers taking part therein and by the Minister for Foreign Affairs of the Netherlands.

Subsequent deposits of ratifications shall be made by means of a written notice sent to the Government of the Netherlands and accompanied by the instrument of ratification.

A certified copy of the record of the first deposit of ratifications, of the notices mentioned in the foregoing paragraph, and of the instruments of ratification shall be immediately transmitted by the Government of the Netherlands through diplomatic channels to the powers invited to the Second Peace Conference, as well as to the powers which have adhered to the convention. In the case contemplated in the foregoing paragraph the said Government shall inform them at the same time of the date on which it received the notice.

ARTICLE 6.

The nonsignatory powers shall be permitted to adhere to the present convention.

A power which desires to adhere shall make its intention known to the Government of the Netherlands by transmitting to it

qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 7.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 8.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après

the document of adhesion, which shall be filed among the archives of said Government.

The said Government shall immediately transmit to all the other powers a certified copy of the notice and of the document of adhesion, stating the date on which it has received the notice.

ARTICLE 7.

The present convention shall take effect, with regard to the powers which participated in the first deposit of ratifications, sixty days after the date of the record of said deposit, and, with regard to the powers which ratify subsequently or adhere, sixty days after the notice of their ratification or adhesion is received by the Government of the Netherlands.

ARTICLE 8.

If it should happen that one of the contracting powers wished to denounce the present convention, notice of the denunciation shall be given in writing to the Government of the Netherlands, which shall at once send a certified copy of the notice to all the other powers, informing them of the date on which it received the same.

The denunciation shall take effect only with regard to the power which has made it, and only

que la notification en sera parvenue au Gouvernement des Pays-Bas.

one year after the notice thereof has reached the Government of the Netherlands.

ARTICLE 9.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 5 alinéas 3 et 4 ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 6 alinéa 2) ou de dénonciation (article 8 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

ARTICLE 9.

A register kept by the Ministry for Foreign Affairs of the Netherlands shall show the date of the deposit of ratifications made in pursuance to article 5, paragraphs 3 and 4, as well as the date on which the notices of adhesion (article 6, paragraph 2) or of denunciation (article 8, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to demand certified copies therefrom.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

ANNEXE À LA CONVENTION.

ANNEX TO THE CONVENTION.

*Règlement Concernant les Lois et
Coutumes de la Guerre sur Terre.*

*Regulations Concerning the Laws
and Customs of Land Warfare.*

SECTION I. — DES BELLIGÉRANTS.

SECTION I. — BELLIGERENTS.

CHAPITRE I. — *De la qualité de
belligérant.*CHAPTER I. — *The character of
belligerent.*

ARTICLE 1.

ARTICLE 1.

Les lois, les droits et les devoirs de la guerre ne s'appliquent pas seulement à l'armée, mais encore aux milices et aux corps de volontaires réunissant les conditions suivantes:

The laws, the rights, and the duties of war apply not only to the army, but also to militia and volunteer organizations combining the following conditions:

1°. d'avoir à leur tête une personne responsable pour ses subordonnés;

1. Having at their head a person who is responsible for his subordinates.

2°. d'avoir un signe distinctif fixe et reconnaissable à distance;

2. Having a permanent distinctive sign recognizable at a distance.

3°. de porter les armes ouvertement et

3. Openly bearing arms.

4°. de se conformer dans leurs opérations aux lois et coutumes de la guerre.

4. Conforming to the laws and customs of war in their operations.

Dans les pays où les milices ou des corps de volontaires constituent l'armée ou en font partie, ils sont compris sous la dénomination d'armée.

In countries where the militia or volunteer organizations constitute or form part of the army, they are comprised under the denomination of army.

ARTICLE 2.

ARTICLE 2.

La population d'un territoire non occupé qui, à l'approche de l'ennemi, prend spontanément les

The inhabitants of an unoccupied territory who, on the approach of an enemy, spontaneously take up

armes pour combattre les troupes d'invasion sans avoir eu le temps de s'organiser conformément à l'article premier, sera considérée comme belligérante si elle porte les armes ouvertement et si elle respecte les lois et coutumes de la guerre.

ARTICLE 3.

Les forces armées des parties belligérantes peuvent se composer de combattants et de non-combatants. En cas de capture par l'ennemi, les uns et les autres ont droit au traitement des prisonniers de guerre.

CHAPITRE II. — *Des prisonniers de guerre.*

ARTICLE 4.

Les prisonniers de guerre sont au pouvoir du Gouvernement ennemi, mais non des individus ou des corps qui les ont capturés.

Ils doivent être traités avec humanité.

Tout ce qui leur appartient personnellement, excepté les armes, les chevaux et les papiers militaires, reste leur propriété.

ARTICLE 5.

Les prisonniers de guerre peuvent être assujettis à l'internement dans une ville, forteresse, camp ou localité quelconque, avec obligation

arms in order to repel the invading troops, without having had time to organize in accordance with article 1, shall be considered as a belligerent if they bear arms openly and respect the laws and customs of warfare.

ARTICLE 3.

The armed forces of the belligerent parties may be composed of combatants and noncombatants. In case of capture by the enemy, both shall be entitled to treatment as prisoners of war.

CHAPTER II. — *Prisoners of war.*

ARTICLE 4.

Prisoners of war are in the power of the hostile government, but not in that of individuals or detachments which have captured them.

They must be treated humanely.

All their personal belongings, except arms, horses, and military papers, remain their property.

ARTICLE 5.

Prisoners of war may be subjected to internment in a city, fortress, camp, or any place, and may be required not to go beyond

de ne pas s'en éloigner au delà de certaines limites déterminées; mais ils ne peuvent être enfermés que par mesure de sûreté indispensable, et seulement pendant la durée des circonstances qui nécessitent cette mesure.

ARTICLE 6.

L'Etat peut employer, comme travailleurs, les prisonniers de guerre, selon leur grade et leurs aptitudes, à l'exception des officiers. Ces travaux ne seront pas excessifs et n'auront aucun rapport avec les opérations de la guerre.

Les prisonniers peuvent être autorisés à travailler pour le compte d'administrations publiques ou de particuliers, ou pour leur propre compte.

Les travaux faits pour l'Etat sont payés d'après les tarifs en vigueur pour les militaires de l'armée nationale exécutant les mêmes travaux, ou, s'il n'en existe pas, d'après un tarif en rapport avec les travaux exécutés.

Lorsque les travaux ont lieu pour le compte d'autres administrations publiques ou pour des particuliers, les conditions en sont réglées d'accord avec l'autorité militaire.

Le salaire des prisonniers contribuera à adoucir leur position, et le surplus leur sera compté au moment de leur libération, sauf défalcation des frais d'entretien.

certain fixed limits. However, they shall not be confined except as an absolutely necessary measure of safety, and then only during the continuance of the circumstances which necessitate this measure.

ARTICLE 6.

A government may employ prisoners of war as laborers, according to their grade or aptitude, except officers. The labor shall not be excessively hard and shall have no connection with the war operations.

Prisoners of war may be permitted to work for the benefit of public departments or private parties, or for their own benefit.

Labor performed for the government shall be paid for according to the schedules in force for soldiers of the national army performing the same labor, or, if there is no such schedule, then at rates commensurate with the work performed.

When the work is done for the benefit of other public departments or of private parties, the conditions thereof shall be regulated with the consent of the military authorities.

The wages earned by the prisoners shall be utilized to mitigate their situation, the surplus being credited to them upon their discharge, after deducting the cost of maintenance.

ARTICLE 7.

Le Gouvernement au pouvoir duquel se trouvent les prisonniers de guerre est chargé de leur entretien.

A défaut d'une entente spéciale entre les belligérants, les prisonniers de guerre seront traités pour la nourriture, le couchage et l'habillement, sur le même pied que les troupes du Gouvernement qui les aura capturés.

ARTICLE 7.

The government into whose power the prisoners of war have fallen shall be responsible for their maintenance.

In the absence of a special agreement between the belligerents, the prisoners of war shall be treated on the same footing, with regard to food, bed, and clothing, as the troops of the government which has captured them.

ARTICLE 8.

Les prisonniers de guerre seront soumis aux lois, règlements et ordres en vigueur dans l'armée de l'Etat au pouvoir duquel ils se trouvent. Tout acte d'insubordination autorisée, à leur égard, les mesures de rigueur nécessaires.

Les prisonniers évadés, qui seraient repris avant d'avoir du rejoindre leur armée ou avant de quitter le territoire occupé par l'armée qui les aura capturés, sont passibles de peines disciplinaires.

Les prisonniers qui, après avoir réussi à s'évader, sont de nouveau faits prisonniers, ne sont passibles d'aucune peine pour la fuite antérieure.

ARTICLE 8.

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the nation into whose power they have fallen. Any act of insubordination on their part shall warrant the application of the necessary restrictive measures.

Escaped prisoners who are recaptured before rejoining their army or before leaving the territory occupied by the army which has captured them, shall be amenable to disciplinary punishment.

Prisoners who, after having succeeded in escaping, are again made prisoners, shall not be subject to any punishment for the previous escape.

ARTICLE 9.

Chaque prisonnier de guerre est tenu de déclarer, s'il est interrogé à ce sujet, ses véritables noms et

ARTICLE 9.

Every prisoner of war shall be obliged to declare his real name and grade if asked, and if he should

grade et, dans le cas où il enfreindrait cette règle, il s'exposerait à une restriction des avantages accordés aux prisonniers de guerre de sa catégorie.

ARTICLE 10.

Les prisonniers de guerre peuvent être mis en liberté sur parole, si les lois de leur pays les y autorisent, et, en pareil cas, ils sont obligés, sous la garantie de leur honneur personnel, de remplir scrupuleusement, tant vis-à-vis de leur propre Gouvernement que vis-à-vis de celui qui les a faits prisonniers, les engagements qu'ils auraient contractés.

Dans le même cas, leur propre Gouvernement est tenu de n'exiger ni accepter d'eux aucun service contraire à la parole donnée.

ARTICLE 11.

Un prisonnier de guerre ne peut être contraint d'accepter sa liberté sur parole; de même le Gouvernement ennemi n'est pas obligé d'accéder à la demande du prisonnier réclamant sa mise en liberté sur parole.

ARTICLE 12.

Tout prisonnier de guerre, libéré sur parole et repris portant les armes contre le Gouvernement envers lequel il s'était engagé d'honneur, ou contre les alliés de celui-ci,

violate this rule he shall become liable to a restriction of the advantages accorded prisoners of war of his category.

ARTICLE 10.

Prisoners of war may be released on parole if the laws of their own country so permit them, in which case they shall be obliged, on their personal honor, to fulfill scrupulously the engagements they have contracted, both with respect to their own government and the government which has taken them prisoners.

In this case their government shall be obliged to neither require nor accept any service from them which is contrary to their plighted word.

ARTICLE 11.

A prisoner of war can not be compelled to accept his liberty on parole; neither shall the hostile government be obliged to grant the request of a prisoner who demands his release on parole.

ARTICLE 12.

Every prisoner of war released on parole and recaptured bearing arms against the government to which he had pledged his honor, or against its allies, shall forfeit the

perd le droit au traitement des prisonniers de guerre et peut être traduit devant les tribunaux.

right to treatment as a prisoner of war and may be arraigned before the courts.

ARTICLE 13.

Les individus qui suivent une armée sans en faire directement partie, tels que les correspondants et les reporters de journaux, les vivandiers, les fournisseurs, qui tombent au pouvoir de l'ennemi et que celui-ci juge utile de détenir, ont droit au traitement des prisonniers de guerre, à condition qu'ils soient munis d'une légitimation de l'autorité militaire de l'armée qu'ils accompagnaient.

ARTICLE 13.

Persons who follow an army without being directly connected therewith, such as newspaper correspondents and reporters, sutlers, and furnishers of supplies, who fall into the hands of the enemy and whom the latter deems it necessary to hold, shall be entitled to treatment as prisoners of war, provided they possess a certificate of identity from the military authority of the army which they were accompanying.

ARTICLE 14.

Il est constitué, dès le début des hostilités, dans chacun des Etats belligérants, et, le cas échéant, dans le pays neutres qui auront recueilli des belligérants sur leur territoire, un bureau de renseignements sur les prisonniers de guerre. Ce bureau, chargé de répondre à toutes les demandes qui les concernent, reçoit des divers services compétents toutes les indications relatives aux internements et aux mutations, aux mises en liberté sur parole, aux échanges, aux évasions, aux entrées dans les hôpitaux, aux décès, ainsi que les autres renseignements nécessaires pour établir et tenir à jour une fiche individuelle

ARTICLE 14.

A bureau of information regarding prisoners of war shall be established in each of the belligerent nations upon the beginning of hostilities, as well as in any neutral countries which may have taken belligerents on their territory. This bureau shall answer all inquiries made concerning the prisoners, and shall receive from the various competent authorities all data regarding internments, transfers, releases on parole, exchanges, escapes, entries into hospitals, deaths, and other information necessary in order to prepare and keep up to date an individual descriptive card for each prisoner of

pour chaque prisonnier de guerre. Le bureau devra porter sur cette fiche le numéro matricule, les nom et prénom, l'âge, le lieu d'origine, le grade, le corps de troupe, les blessures, la date et le lieu de la capture, de l'internement, des blessures et de la mort, ainsi que toutes les observations particulières. La fiche individuelle sera remise au Gouvernement de l'autre belligérant après la conclusion de la paix.

Le bureau de renseignements est également chargé de recueillir et de centraliser tous les objets d'un usage personnel, valeurs, lettres, etc., qui seront trouvés sur les champs de bataille ou délaissés par des prisonniers libérés sur parole, échangés, évadés ou décédés dans les hôpitaux et ambulances, et de les transmettre aux intéressés.

ARTICLE 15.

Les sociétés de secours pour les prisonniers de guerre, régulièrement constituées selon la loi de leur pays et ayant pour objet d'être les intermédiaires de l'action charitable, recevront, de la part des belligérants, pour elles et pour leurs agents dûment accrédités, toute facilité, dans les limites tracées par les nécessités militaires et les règles administratives, pour accomplir efficacement leur tâche d'humanité. Les délégués de ces

war. The bureau should keep on this card the regimental number, name, age, place of residence, grade, regiment, wounds, date and place of capture, date of internment, of wounds, and of death, as well as all special remarks. Upon the conclusion of peace the descriptive card shall be delivered to the government of the other belligerent.

It shall also be the duty of the information bureau to gather and keep together all articles of personal use, valuable papers, letters, etc., which are found on the fields of battle or left behind by prisoners released on parole, exchanged, or escaping, or dying in hospitals or ambulances, and to transmit them to the interested parties.

ARTICLE 15.

Societies for the relief of prisoners of war, regularly organized under the laws of their country for the purpose of acting as intermediaries in the dispensation of charity, shall, as well as their duly authorized agents, be accorded every facility consistent with military necessities and administrative rules in order to carry out effectively their mission of humanity. The agents of these societies may be permitted to distribute relief at

sociétés pourront être admis à distribuer des secours dans les dépôts d'internement, ainsi qu'aux lieux d'étape des prisonniers rapatriés, moyennant une permission personnelle délivrée par l'autorité militaire, et en prenant l'engagement par écrit de se soumettre à toutes les mesures d'ordre et de police que celle-ci prescrirait.

ARTICLE 16.

Les bureaux de renseignements jouissent de la franchise de port. Les lettres, mandats et articles d'argent, ainsi que les colis postaux destinés aux prisonniers de guerre ou expédiés par eux, seront affranchis de toutes les taxes postales, aussi bien dans les pays d'origine et de destination que dans les pays intermédiaires.

Les dons et secours en nature destinés aux prisonniers de guerre seront admis en franchise de tous droits d'entrée et autres, ainsi que des taxes de transport sur les chemins de fer exploités par l'Etat.

ARTICLE 17.

Les officiers prisonniers recevront la solde à laquelle ont droit les officiers de même grade du pays où ils sont retenus, à charge de remboursement par leur Gouvernement.

internment depots as well as at the halting places of prisoners returned to their country, upon obtaining a personal permit issued by the military authority, and upon pledging themselves in writing to submit to all the measures for the maintenance of order and safety which the latter may prescribe.

ARTICLE 16.

The information bureaux shall enjoy the franking privilege. Letters, drafts, and postal money orders, as well as parcels-post addressed to prisoners of war or mailed by them, shall be exempt from any postage, both in the countries of origin and destination and in the intermediate countries.

Donations and relief in kind intended for prisoners of war shall be admitted free from all import and other duties, as well as from charges for transportation on railroads operated by the government.

ARTICLE 17.

Officers who become prisoners shall receive the pay to which officers of the same grade are entitled in the country where they are being detained, the amount to be repaid by their government.

ARTICLE 18.

Toute latitude est laissée aux prisonniers de guerre pour l'exercice de leur religion, y compris l'assistance aux offices de leur culte, à la seule condition de se conformer aux mesures d'ordre et de police prescrites par l'autorité militaire.

ARTICLE 18.

Prisoners of war shall be allowed perfect freedom in the exercise of their religious worship, including the right to attend the services of their creed, provided only that they conform to the measures prescribed by the military authorities for the maintenance of order and safety.

ARTICLE 19.

Les testaments des prisonniers de guerre sont reçus ou dressés dans les mêmes conditions que pour les militaires de l'armée nationale.

On suivra également les mêmes règles en ce qui concerne les pièces relatives à la constatation des décès, ainsi que pour l'inhumation des prisonniers de guerre, en tenant compte de leur grade et de leur rang.

ARTICLE 19.

The wills of prisoners of war shall be received or drawn up in the same manner as those of soldiers of the national army.

The same rules shall be followed with regard to certificates of death and the burial of prisoners of war, taking into account their grade and rank.

ARTICLE 20.

Après la conclusion de la paix, le rapatriement des prisonniers de guerre s'effectuera dans le plus bref délai possible.

ARTICLE 20.

After the conclusion of peace, the prisoners of war shall be sent back to their country as soon as possible.

CHAPITRE III. — *Des malades et des blessés.*

ARTICLE 21.

Les obligations des belligérants concernant le service des malades et des blessés sont régies par la Convention de Genève.

CHAPTER III. — *Sick and wounded.*

ARTICLE 21.

The obligations of the belligerents regarding the care of the sick and wounded shall be governed by the Geneva Convention.

SECTION II. — DES HOSTILITÉS.

CHAPITRE I. — *Des moyens de nuire à l'ennemi, des sièges et des bombardements.*

ARTICLE 22.

Les belligérants n'ont pas un droit illimité quant au choix des moyens de nuire à l'ennemi.

ARTICLE 23.

Outre les prohibitions établies par des conventions spéciales, il est notamment interdit :

- a. d'employer du poison ou des armes empoisonnées ;
- b. de tuer ou de blesser par trahison des individus appartenant à la nation ou à l'armée ennemie ;
- c. de tuer ou de blesser un ennemi qui, ayant mis bas les armes ou n'ayant plus les moyens de se défendre, s'est rendu à discrétion ;
- d. de déclarer qu'il ne sera pas fait de quartier ;
- e. d'employer des armes, des projectiles ou des matières propres à causer des maux superflus ;
- f. d'user indûment du pavillon parlementaire, du pavillon national ou des insignes militaires et de l'uniforme de l'ennemi, ainsi que des signes distinctifs de la Convention de Genève ;
- g. de détruire ou de saisir des propriétés ennemies, sauf les cas où ces destructions ou ces saisies

SECTION II. — HOSTILITIES.

CHAPTER I. — *The means of injuring the enemy, sieges and bombardments.*

ARTICLE 22.

Belligerents have not an unlimited right in the choice of means of injuring the enemy.

ARTICLE 23.

Besides the prohibitions established by special conventions, it is particularly forbidden :

- a. To use poison or poisoned weapons.
- b. To kill or wound through treachery persons belonging to the hostile nation or army.
- c. To kill or wound an enemy who, having laid down his arms or having no longer any means of defense, has surrendered at discretion.
- d. To declare that no quarter will be given.
- e. To employ weapons, projectiles, or substances of such a nature as to cause unnecessary pain.
- f. To make improper use of the flag of truce, of the national flag, or of the military insignia and uniform of the enemy, as well as of the distinctive signs of the Geneva Convention.
- g. To destroy or seize property belonging to the enemy, except where such destruction or seizure is

seraient impérieusement commandées par les nécessités de la guerre;

h. de déclarer éteints, suspendus ou non recevables en justice, les droits et actions des nationaux de la Partie adverse.

Il est également interdit à un belligérant de forcer les nationaux de la Partie adverse à prendre part aux opérations de guerre dirigées contre leur pays, même dans le cas où ils auraient été à son service avant le commencement de la guerre.

ARTICLE 24.

Les ruses de guerre et l'emploi des moyens nécessaires pour se procurer des renseignements sur l'ennemi et sur le terrain sont considérés comme licites.

ARTICLE 25.

Il est interdit d'attaquer ou de bombarder, par quelque moyen que ce soit, des villes, villages, habitations ou bâtiments qui ne sont pas défendus.

ARTICLE 26.

Le commandant des troupes assaillantes, avant d'entreprendre le bombardement, et sauf le cas d'attaque de vive force, devra faire tout ce qui dépend de lui pour en avertir les autorités.

imperiously demanded by the necessities of the war.

h. To declare extinguished, suspended, or barred the rights and choses in action of the nationals of the adversary.

A belligerent is also prohibited from compelling the nationals of the adversary to take part in military operations against their country, even in case they were in his service before the commencement of the war.

ARTICLE 24.

Stratagems and the employment of the necessary means to obtain information concerning the enemy and the topography of the country are considered permissible.

ARTICLE 25.

It is forbidden to attack or bombard undefended cities, villages, dwellings, or buildings, whatever be the means employed.

ARTICLE 26.

The commander of the attacking forces shall, before commencing bombardment, do everything in his power to warn the authorities, except in case of an attack by main force.

ARTICLE 27.

Dans les sièges et bombardements, toutes les mesures nécessaires doivent être prises pour épargner, autant que possible, les édifices consacrés aux cultes, aux arts, aux sciences et à la bienfaisance, les monuments historiques, les hôpitaux et les lieux de rassemblement de malades et de blessés, à condition qu'ils ne soient pas employés en même temps à un but militaire.

Le devoir des assiégés est de désigner ces édifices ou lieux de rassemblement par les signes visibles spéciaux qui seront notifiés d'avance à l'assiégeant.

ARTICLE 28.

Il est interdit de livrer au pillage une ville ou localité même prise d'assaut.

CHAPITRE II. — *Des espions.*

ARTICLE 29.

Ne peut être considéré comme espion que l'individu qui, agissant clandestinement ou sous de faux prétextes, recueille ou cherche à recueillir des informations dans la zone d'opérations d'un belligérant, avec l'intention de les communiquer à la partie adverse.

Ainsi les militaires non déguisés qui ont pénétré dans la zone d'opé-

ARTICLE 27.

During sieges and bombardments all necessary measures should be taken to spare, as far as possible, buildings devoted to religious worship, arts, science, and charity, historical monuments, hospitals, and places of assembly of sick and wounded, provided they be not used at the same time for a military purpose.

It shall be the duty of the besieged to designate these buildings or places of assembly by special visible signs which shall be made known beforehand to the besieger.

ARTICLE 28.

The giving up of a city or place to plunder, even when taken by assault, is prohibited.

CHAPTER II. — *Spies.*

ARTICLE 29.

No person shall be considered as a spy except such as, acting clandestinely or under a false pretext, obtains or seeks to obtain information within the zone of operations of a belligerent with the intention of communicating them to the adversary.

Therefore, undisguised soldiers who have entered the zone of op-

rations de l'armée ennemie, à l'effet de recueillir de informations, ne sont pas considérés comme espions. De même, ne sont pas considérés comme espions : les militaires et les non militaires, accomplissant ouvertement leur mission, chargés de transmettre des dépêches destinées, soit à leur propre armée, soit à l'armée ennemie. A cette catégorie appartiennent également les individus envoyés en ballon pour transmettre les dépêches, et, en général, pour entretenir les communications entre les diverses parties d'une armée ou d'un territoire.

ARTICLE 30.

L'espion pris sur le fait ne pourra être puni sans jugement préalable.

ARTICLE 31.

L'espion qui, ayant rejoint l'armée à laquelle il appartient, est capturé plus tard par l'ennemi, est traité comme prisonnier de guerre et n'encourt aucune responsabilité pour ses actes d'espionnage antérieurs.

CHAPITRE III. — *Des parlemens-taires.*

ARTICLE 32.

Est considéré comme parlementaire l'individu autorisé par l'un des belligérants à entrer en pour-

erations of the hostile army for the purpose of obtaining information shall not be considered as spies. Neither shall soldiers or civilians openly performing their duties and engaged in the transmission of dispatches, either to their own or the hostile army, be so considered. This applies equally to individuals sent in balloons for the purpose of transmitting dispatches, and the general keeping up of communications between the different parts of an army or territory.

ARTICLE 30.

A spy caught in the act shall not be punished without first having a trial.

ARTICLE 31.

A spy who, having rejoined the army to which he belongs, is captured later on by the enemy, shall be treated as a prisoner of war and shall incur no responsibility for his previous acts as a spy.

CHAPTER III. — *Envoys bearing flags of truce.*

ARTICLE 32.

A person authorized by one of the belligerents to enter into negotiations with the other and appear-

parlers avec l'autre et se présentant avec le drapeau blanc. Il a droit à l'inviolabilité ainsi que le trompette, clairon ou tambour, le porté-drapeau et l'interprète qui l'accompagneraient.

ARTICLE 33.

Le chef auquel un parlementaire est expédié n'est pas obligé de le recevoir en toutes circonstances.

Il peut prendre toutes les mesures nécessaires afin d'empêcher le parlementaire de profiter de sa mission pour se renseigner.

Il a le droit, en cas d'abus, de retenir temporairement le parlementaire.

ARTICLE 34.

Le parlementaire perd ses droits d'inviolabilité, s'il est prouvé, d'une manière positive et irrécusable, qu'il a profité de sa position privilégiée pour provoquer ou commettre un acte de trahison.

CHAPITRE IV. — *Des capitulations.*

ARTICLE 35.

Les capitulations arrêtées entre les parties contractantes doivent tenir compte des règles de l'honneur militaire.

Une fois fixées, elles doivent être scrupuleusement observées par les deux parties.

ing with a white flag shall be considered as an envoy. He, as well as the trumpeter, bugler, or drummer, the flag bearer, and interpreter accompanying him, shall be held inviolable.

ARTICLE 33.

A military commander to whom an envoy is sent is not obliged to receive him under all circumstances.

He may take all measures necessary in order to prevent the envoy from taking advantage of his mission for the purpose of gaining information.

In case of abuse, he has a right to detain the envoy temporarily.

ARTICLE 34.

The envoy shall lose his rights to inviolability if it is positively and irrefutably proven that he has availed himself of his privileged position in order to provoke or commit an act of treason.

CHAPTER IV. — *Capitulations.*

ARTICLE 35.

Capitulations made between the contracting parties must take into account the rules of military honor.

Once agreed upon, they should be scrupulously observed by both parties.

CHAPITRE V. — *De l'armistice.*CHAPTER V. — *Armistices.*

ARTICLE 36.

L'armistice suspend les opérations de guerre par un accord mutuel des parties belligérantes. Si la durée n'en est pas déterminée, les parties belligérantes peuvent reprendre en tout temps les opérations, pourvu toutefois que l'ennemi soit averti en temps convenu, conformément aux conditions de l'armistice.

ARTICLE 37.

L'armistice peut être général ou local. Le premier suspend partout les opérations de guerre des Etats belligérants; le second, seulement entre certaines fractions des armées belligérantes et dans un rayon déterminé.

ARTICLE 38.

L'armistice doit être notifié officiellement et en temps utile aux autorités compétentes et aux troupes. Les hostilités sont suspendues immédiatement après la notification ou au terme fixé.

ARTICLE 39.

Il dépend des parties contractantes de fixer, dans les clauses de l'armistice, les rapports qui pourraient avoir lieu, sur le théâtre de la guerre, avec les populations et entre elles.

ARTICLE 36.

An armistice suspends military operations by mutual agreement of the belligerent parties. If the duration thereof is not fixed, the belligerent parties may resume operations at any time, provided, however, that the enemy is opportunely notified in accordance with the conditions of the armistice.

ARTICLE 37.

The armistice may be general or local. The former suspends warlike operations between the belligerent nations everywhere; the latter only between certain parts of the belligerent armies and within a certain district.

ARTICLE 38.

The armistice should be made known officially and in due time to the proper authorities and to the troops. Hostilities are immediately suspended after the notification or at the appointed time.

ARTICLE 39.

The contracting parties shall determine in the clauses of the armistice the relations which shall take place with the inhabitants and between themselves about the seat of war.

ARTICLE 40.

Toute violation grave de l'armistice, par l'une des parties, donne à l'autre le droit de le dénoncer et même, en cas d'urgence, de reprendre immédiatement les hostilités.

ARTICLE 41.

La violation des clauses de l'armistice, par des particuliers agissant de leur propre initiative, donne droit seulement à réclamer la punition des coupables et, s'il y a lieu, une indemnité pour les pertes éprouvées.

SECTION III. — DE L'AUTORITÉ MILITAIRE SUR LE TERRITOIRE DE L'ÉTAT ENNEMI.

ARTICLE 42.

Un territoire est considéré comme occupé lorsqu'il se trouve placé de fait sous l'autorité de l'armée ennemie.

L'occupation ne s'étend qu'aux territoires où cette autorité est établie et en mesure de s'exercer.

ARTICLE 43.

L'autorité du pouvoir légal ayant passé de fait entre les mains de l'occupant, celui-ci prendra toutes les mesures qui dépendent de lui en vue de rétablir et d'assurer, autant qu'il est possible, l'ordre

ARTICLE 40.

Any serious violation of the armistice by either party shall give the other a right to denounce it and even to resume hostilities at once in urgent cases.

ARTICLE 41.

A violation of the clauses of the armistice by individuals acting on their own initiative shall only give a right to demand the punishment of the guilty persons and an indemnity for the losses sustained, if any there be.

SECTION III. — MILITARY AUTHORITY UPON THE TERRITORY OF THE ENEMY.

ARTICLE 42.

A territory is considered as being occupied when it is actually under the authority of the hostile army.

The occupation extends only to the regions where this authority is established and capable of being asserted.

ARTICLE 43.

When the legally constituted authority has actually passed into the hands of the occupant, the latter shall take all measures within his power to restore and, as far as possible, to insure public order and

et la vie publiques en respectant, sauf empêchement absolu, les lois en vigueur dans le pays.

ARTICLE 44.

Il est interdit à un belligérant de forcer la population d'un territoire occupé à donner des renseignements sur l'armée de l'autre belligérant ou sur ses moyens de défense.

ARTICLE 45.

Il est interdit de contraindre la population d'un territoire occupé à prêter serment à la Puissance ennemie.

ARTICLE 46.

L'honneur et les droits de la famille, la vie des individus et la propriété privée, ainsi que les convictions religieuses et l'exercice des cultes, doivent être respectés.

La propriété privée ne peut pas être confisquée.

ARTICLE 47.

Le pillage est formellement interdit.

ARTICLE 48.

Si l'occupant prélève, dans le territoire occupé, les impôts, droits et péages établis au profit de l'Etat, il le fera, autant que possible, d'après les règles de l'assiette et de la répartition en vigueur, et

life, respecting the laws in force in the country unless absolutely prevented.

ARTICLE 44.

A belligerent is forbidden to compel the inhabitants of an occupied territory to furnish information concerning the army of the other belligerent or concerning his means of defense.

ARTICLE 45.

Compelling the people of an occupied territory to take an oath of allegiance to a hostile power is prohibited.

ARTICLE 46.

The honor and the rights of the family, the life of individuals, and private property, as well as religious convictions and religious worship, should be respected.

Private property shall not be confiscated.

ARTICLE 47.

Looting is positively forbidden.

ARTICLE 48.

If the taxes, duties, and tolls established for the benefit of the nation are collected by the occupant within the occupied territory, it shall be done as far as possible in accordance with the rules of

il en résultera pour lui l'obligation de pourvoir aux frais de l'administration du territoire occupé dans la mesure où le Gouvernement légal y était tenu.

ARTICLE 49.

Si, en dehors des impôts visés à l'article précédent, l'occupant prélève d'autres contributions en argent dans le territoire occupé, ce ne pourra être que pour les besoins de l'armée ou de l'administration de ce territoire.

ARTICLE 50.

Aucune peine collective, pécuniaire ou autre, ne pourra être édictée contre les populations à raison de faits individuels dont elles ne pourraient être considérées comme solidairement responsables.

ARTICLE 51.

Aucune contribution ne sera perçue qu'en vertu d'un ordre écrit et sous la responsabilité d'un général en chef.

Il ne sera procédé, autant que possible, à cette perception que d'après les règles de l'assiette et de la répartition des impôts en vigueur.

Pour toute contribution, un reçu sera délivré aux contribuables.

assessment and distribution in force, the occupant incurring the obligation to defray the expenses of administration of the occupied territory to the extent to which the legal government was obliged to do so.

ARTICLE 49.

If, besides the taxes referred to in the foregoing paragraph, the occupant collects other contributions in money in the occupied territory, it shall only be for the needs of the army or of the administration of said territory.

ARTICLE 50.

No public penalty, pecuniary or otherwise, shall be pronounced against the inhabitants on account of individual acts for which they can not be considered as collectively responsible.

ARTICLE 51.

No tax shall be collected except by virtue of a written order and under the responsibility of a commander in chief.

As far as possible the taxes shall be collected in accordance with the rules of assessment and distribution in force.

A receipt shall be given the taxpayers for every tax paid.

ARTICLE 52.

Des réquisitions en nature et des services ne pourront être réclamés des communes ou des habitants, que pour les besoins de l'armée d'occupation. Ils seront en rapport avec les ressources du pays et de telle nature qu'ils n'impliquent pas pour les populations l'obligation de prendre part aux opérations de la guerre contre leur patrie.

Ces réquisitions et ces services ne seront réclamés qu'avec l'autorisation du commandant dans la localité occupée.

Les prestations en nature seront, autant que possible, payées au comptant; sinon, elles seront constatées par des reçus, et le paiement des sommes dues sera effectué le plus tôt possible.

ARTICLE 53.

L'armée qui occupe un territoire ne pourra saisir que le numéraire, les fonds et les valeurs exigibles appartenant en propre à l'Etat, les dépôts d'armes, moyens de transport, magasins et approvisionnements et, en général, toute propriété mobilière de l'Etat de nature à servir aux opérations de la guerre.

Tous les moyens affectés sur terre, sur mer et dans les airs à la transmission des nouvelles, au transport des personnes ou des

ARTICLE 52.

Requisitions in kind and services can only be levied on communes and inhabitants for the needs of the army of occupation. They shall be in accordance with the resources of the country and of such a character as not to oblige the inhabitants to take part in the war operations against their country.

These requisitions and services shall be levied only by authority of the commander in the locality occupied.

Supplies furnished in kind shall be paid for in cash as far as possible, otherwise a receipt shall be given therefor and the amounts due paid as soon as possible.

ARTICLE 53.

An army occupying a territory may seize only the specie, funds, and collectible securities which are actually the property of the state, depots of arms, means of transportation, stores, and provisions, and, in general, all movable property of the government capable of being used in the military operations.

All means used on land, sea, or in the air for the transmission of information or the transportation of passengers or freight, except

choses, en dehors des cas régis par le droit maritime, les dépôts d'armes et, en général, toute espèce de munitions de guerre, peuvent être saisis, même s'ils appartiennent à des personnes privées, mais devront être restitués et les indemnités seront réglées à la paix.

ARTICLE 54.

Les câbles sous-marins reliant un territoire occupé à un territoire neutre ne seront saisis ou détruits que dans le cas d'une nécessité absolue. Ils devront également être restitués et les indemnités seront réglées à la paix.

ARTICLE 55.

L'Etat occupant ne se considérera que comme administrateur et usufruitier des édifices publics, immeubles, forêts et exploitations agricoles appartenant à l'Etat ennemi et se trouvant dans le pays occupé. Il devra sauvegarder le fonds de ces propriétés et les administrer conformément aux règles de l'usufruit.

ARTICLE 56.

Les biens des communes, ceux des établissements consacrés aux cultes, à la charité et à l'instruction, aux arts et aux sciences, même appartenant à l'Etat, seront traités comme la propriété privée.

where governed by maritime law, stores of arms, and, in general, all kinds of munitions of war, may be seized even if they belong to private parties, but they must be restored and the indemnities shall be fixed upon the conclusion of peace.

ARTICLE 54.

Submarine cables connecting an occupied territory with a neutral territory shall not be seized or destroyed except in case of absolute necessity. They must also be restored and the indemnities adjusted upon the conclusion of peace.

ARTICLE 55.

The occupying nation shall consider itself merely as the administrator and usufructuary of the public buildings, real estate, forests, and farms belonging to the hostile government and situated within the occupied territory. It shall protect this property and administer it in accordance with the rules governing usufructs.

ARTICLE 56.

The property of communes, of institutions devoted to religious worship, charity, and instruction, or to arts and sciences, even when belonging to the government, shall be treated as private property.

Toute saisie, destruction ou dégradation intentionnelle de semblables établissements, de monuments historiques, d'œuvres d'art et de science, est interdite et doit être poursuivie.

Any seizure, destruction, or intentional injury of such institutions, or of historical monuments, or works of art or science is prohibited and should be prosecuted.

[TRANSLATION.]

Convention concernant les Droits et les Devoirs des Puissances et des personnes neutres en cas de guerre sur terre.

Convention Regarding the Rights and Duties of Neutral Powers and Persons in Case of War on Land.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

His Majesty the Emperor of Germany, King of Prussia; etc.:

En vue de mieux préciser les droits et les devoirs des Puissances neutres en cas de guerre sur terre et de régler la situation des belligérants réfugiés en territoire neutre;

For the purpose of more precisely defining the rights and duties of neutral powers in case of war on land, and of regulating the status of belligerents seeking refuge in neutral territory; and

Désirant également définir la qualité de neutre en attendant qu'il soit possible de régler dans son ensemble la situation des particuliers neutres dans leurs rapports avec les belligérants;

Being also desirous of defining what constitutes a neutral, until it is possible to regulate in every respect the status of neutral private persons in their relations with belligerents;

Ont résolu de conclure une Convention à cet effet et ont, en conséquence, nommé pour Leurs Plénipotentiaires savoir.

Have concluded a convention for this purpose and have consequently appointed as their plenipotentiaries, to wit:

[Désignation des Plénipotentiaires.]

[Names of plenipotentiaries.]

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

Who, having deposited their full powers, found in good and due form, have agreed on the following provisions:

CHAPITRE I. — *Des Droits et des Devoirs des Puissances neutres.*

ARTICLE PREMIER.

Le territoire des Puissances neutres est inviolable.

ARTICLE 2.

Il est interdit aux belligérants de faire passer à travers le territoire d'une Puissance neutre des troupes ou des convois, soit de munitions, soit d'approvisionnements.

ARTICLE 3.

Il est également interdit aux belligérants :

a. d'installer sur le territoire d'une Puissance neutre une station radiotélégraphique ou tout appareil destiné à servir comme moyen de communication avec des forces belligérantes sur terre ou sur mer ;

b. d'utiliser toute installation de ce genre établie par eux avant la guerre sur le territoire de la Puissance neutre dans un but exclusivement militaire, et qui n'a pas été ouverte au service de la correspondance publique.

ARTICLE 4.

Des corps de combattants ne peuvent être formés, ni des bureaux d'enrôlement ouverts, sur le territoire d'une Puissance neutre au profit des belligérants.

CHAPTER I. — *The rights and duties of neutral powers.*

ARTICLE 1.

The territory of neutral powers is inviolable.

ARTICLE 2.

Belligerents are forbidden to allow troops or trains of ammunition or provisions to pass through the territory of a neutral power.

ARTICLE 3.

Belligerents are likewise forbidden :

a. To establish on the territory of a neutral power a wireless telegraph station or any device intended for use as a means of communication with the belligerent forces on land or sea ;

b. To utilize any station or apparatus of this kind established by them previous to the war on the territory of the neutral power for an exclusively military purpose, and which has not been open to the use of the public for correspondence.

ARTICLE 4.

No body of soldiers shall be organized or enlistment bureaus opened in the territory of a neutral power for the benefit of the belligerents.

ARTICLE 5.

Une Puissance neutre ne doit tolérer sur son territoire aucun des actes visés par les articles 2 à 4.

Elle n'est tenue de punir des actes contraires à la neutralité que si ces actes ont été commis sur son propre territoire.

ARTICLE 5.

A neutral power shall not tolerate any of the acts mentioned in articles 2 to 4 on its territory.

It shall not be under obligations to punish acts in violation of neutrality unless they have been committed on its own territory.

ARTICLE 6.

La responsabilité d'une Puissance neutre n'est pas engagée par le fait que des individus passent isolément la frontière pour se mettre au service de l'un des belligérants.

ARTICLE 6.

A neutral power does not incur responsibility from the fact that individuals cross its frontier singly in order to enlist in the service of the belligerents.

ARTICLE 7.

Une Puissance neutre n'est pas tenue d'empêcher l'exportation ou le transit, pour le compte de l'un ou de l'autre des belligérants, d'armes, de munitions, et, en général, de tout ce qui peut être utile à une armée ou à une flotte.

ARTICLE 7.

A neutral power shall not be obliged to prevent the exportation or passage through its territory, on account of either of the belligerents, of arms, ammunition, or anything that may be useful to an army or navy.

ARTICLE 8.

Une Puissance neutra n'est pas tenue d'interdire ou de restreindre l'usage, pour les belligérants, des câbles télégraphiques ou téléphoniques, ainsi que des appareils de télégraphie sans fil, qui sont, soit sa propriété, soit celle de compagnies ou de particuliers.

ARTICLE 8.

A neutral power is not required to forbid or restrict the use, in behalf of belligerents, of telegraph or telephone cables or wireless telegraph apparatus belonging to it or to companies or private individuals.

ARTICLE 9.

Toutes mesures restrictives ou prohibitives prises par une Puissance neutre à l'égard des matières visées par les articles 7 et 8 devront être uniformément appliquées par elle aux belligérants.

La Puissance neutre veillera au respect de la même obligation par les compagnies ou particuliers propriétaires de câbles télégraphiques ou téléphoniques ou d'appareils de télégraphie sans fil.

ARTICLE 10.

Ne peut être considéré comme un acte hostile le fait, par une Puissance neutre, de repousser, même par la force, les atteintes à sa neutralité.

CHAPITRE II. — *Des belligérants internés et des blessés soignés chez les neutres.*

ARTICLE 11.

La Puissance neutre qui reçoit sur son territoire des troupes appartenant aux armées belligérantes, les internera, autant que possible, loin du théâtre de la guerre.

Elle pourra les garder dans des camps, et même les enfermer dans des forteresses ou dans des lieux appropriés à cet effet.

Elle décidera si les officiers peuvent être laissés libres en

ARTICLE 9.

All restrictive or prohibitive measures taken by a neutral power in regard to the matters mentioned in articles 7 and 8 must be applied uniformly by it to both the belligerents.

The neutral power shall see that this rule is respected by companies or individuals owning telegraph or telephone cables or wireless telegraph apparatus.

ARTICLE 10.

It shall not be considered a hostile act if a neutral power takes measures, even forcible, to prevent violations of its neutrality.

CHAPTER II. — *Belligerents interned and wounded cared for in neutral territory.*

ARTICLE 11.

A neutral power which receives in its territory troops belonging to the belligerent armies shall intern them, if possible, at some point remote from the seat of war.

It may keep them in camps or even inclose them in fortresses or other places suitable for this purpose.

It shall decide whether the officers may be released on their word

prenant l'engagement sur parole de ne pas quitter le territoire neutre sans autorisation.

of honor not to leave the neutral territory without permission.

ARTICLE 12.

A défaut de convention spéciale, la Puissance neutre fournira aux internés les vivres, les habillements et les secours commandés par l'humanité.

Bonification sera faite, à la paix, des frais occasionnés par l'internement.

ARTICLE 12.

In the absence of a special agreement the neutral power shall furnish the interned soldiers with the provisions, clothing, and assistance demanded by humane considerations.

The expenses incidental to the internment shall be reimbursed upon the conclusion of peace.

ARTICLE 13.

La Puissance neutre qui reçoit des prisonniers de guerre évadés les laissera en liberté. Si elle tolère leur séjour sur son territoire, elle peut leur assigner une résidence.

La même disposition est applicable aux prisonniers de guerre amenés par des troupes se réfugiant sur le territoire de la Puissance neutre.

ARTICLE 13.

A neutral power which receives escaped prisoners of war shall leave them at liberty. If it allows them to remain in its territory it may assign them an abode.

The same provision is applicable to prisoners of war brought by troops who seek refuge in the territory of the neutral power.

ARTICLE 14.

Une Puissance neutre pourra autoriser le passage sur son territoire des blessés ou malades appartenant aux armées belligérantes, sous la réserve que les trains qui les amèneront ne transporteront ni personnel, ni matériel de guerre. En pareil cas, la Puissance neutre

ARTICLE 14.

A neutral power may permit the passage through its territory of sick or wounded belonging to the belligerent armies, provided the trains which brings them convey neither troops nor war stores. In such a case the neutral power shall be obliged to take the necessary meas-

est tenue de prendre les mesures de sûreté et de contrôle nécessaires à cet effet.

Les blessés ou malades amenés dans ces conditions sur le territoire neutre par un des belligérants, et qui appartiendraient à la partie adverse, devront être gardés par la Puissance neutre de manière qu'ils ne puissent de nouveau prendre part aux opérations de la guerre. Cette Puissance aura les mêmes devoirs quant aux blessés ou malades de l'autre armée qui lui seraient confiés.

ARTICLE 15.

La Convention de Genève s'applique aux malades et aux blessés internés sur territoire neutre.

CHAPITRE III. — *Des personnes neutres.*

ARTICLE 16.

Sont considérés comme neutres les nationaux d'un Etat qui ne prend pas part à la guerre.

ARTICLE 17.

Un neutre ne peut pas se prévaloir de sa neutralité:

- a. s'il commet des actes hostiles contre un belligérant;
- b. s'il commet des actes en faveur d'un belligérant, notamment s'il prend volontairement du

ures of safety and supervision for this purpose.

Sick or wounded brought into neutral territory under these conditions by one of the belligerents and belonging to the adversary shall be guarded by the neutral power so as not to be able to take part again in the operations of the war. The said power shall have the same duties with regard to the sick or wounded of the other army who may be intrusted to it.

ARTICLE 15.

The Geneva Convention applies to sick and wounded interned in neutral territory.

CHAPTER III. — *Neutral persons.*

ARTICLE 16.

The nationals of a state not taking part in a war are considered as neutrals.

ARTICLE 17.

A neutral can not plead his neutrality:

- a. If he commits hostile acts against a belligerent;
- b. If he performs acts in favor of a belligerent, especially if he voluntarily enlists in the ranks of

service dans les rangs de la force armée de l'une des Parties.

En pareil cas, le neutre ne sera pas traité plus rigoureusement par le belligérant contre lequel il s'est départi de la neutralité que ne pourrait l'être, à raison du même fait, un national de l'autre Etat belligérant.

the armed force of one of the parties.

In such a case the neutral shall not be treated any more severely by the belligerent against whom he has violated his neutrality than a national of the other belligerent nation might be on account of the same act.

ARTICLE 18.

Ne seront pas considérés comme actes commis en faveur d'un des belligérants, dans le sens de l'article 17, lettre b :

a. les fournitures faites ou les emprunts consentis à l'un des belligérants, pourvu que le fournisseur ou le prêteur n'habite ni le territoire de l'autre Partie, ni le territoire occupé par elle, et que les fournitures ne proviennent pas de ces territoires ;

b. les services rendus en matière de police ou d'administration civile.

ARTICLE 18.

The following shall not be considered as acts performed in favor of one of the belligerents within the meaning of article 17, b :

a. Supplies furnished or loans made to one of the belligerents, provided the furnisher or the lender does not reside either in the territory of the other party or in the territory occupied by it, and provided the supplies do not come from these territories ;

b. Services rendered in matters of police or civil administration.

CHAPITRE IV. — *Du matériel des chemins de fer.*

ARTICLE 19.

Le matériel des chemins de fer provenant du territoire de Puissances neutres, qu'il appartienne à ces Puissances ou à des sociétés ou personnes privées, et reconnaissable comme tel, ne pourra être réquisitionné et utilisé par un belligérant

CHAPTER IV. — *Railroad equipment.*

ARTICLE 19.

Railroad equipment coming from the territory of neutral powers, whether it belongs to these powers or to companies or private individuals, and recognizable as such, may only be requisitioned and utilized by a belligerent in case of

que dans le cas et la mesure où l'exige une impérieuse nécessité. Il sera renvoyé aussitôt que possible dans le pays d'origine.

La Puissance neutre pourra de même, en cas de nécessité, retenir et utiliser, jusqu'à due concurrence, le matériel provenant du territoire de la Puissance belligérante.

Une indemnité sera payée de part et d'autre, en proportion du matériel utilisé et de la durée de l'utilisation.

and to the extent required by imperious necessity. It shall be sent back to the country of origin as soon as possible.

The neutral power may likewise, in case of need, retain and utilize railroad equipment coming from the territory of the belligerent power to the same extent as the latter has used its equipment.

An indemnity shall be paid by either party in proportion to the equipment used and the length of time of its use.

CHAPITRE V.—*Disposition finales.*

ARTICLE 20.

Les disposition de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 21.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une

CHAPTER V.—*Final provisions.*

ARTICLE 20.

The provisions of the present convention are applicable only among the contracting powers, and only in case the belligerents are all parties to the convention.

ARTICLE 21.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be noted on a record signed by the representatives of the powers taking part therein and by the Minister for Foreign Affairs of the Netherlands.

Subsequent deposits of ratifications shall be made by means of

notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 22.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

a written notice sent to the Government of the Netherlands and accompanied by the instrument of ratification.

Certified copies of the record of the first deposit of ratifications, of the notices mentioned in the foregoing paragraph, and of the instruments of ratification shall be immediately transmitted by the Government of the Netherlands through diplomatic channels to the powers invited to the Second Peace Conference, as well as to the other powers which shall have adhered to the convention. In the cases contemplated in the foregoing paragraph, the said Government shall inform them at the same time of the date on which it has received the notice.

ARTICLE 22.

The nonsignatory powers shall be permitted to adhere to the present convention.

A power desiring to adhere shall make its intention known in writing to the Government of the Netherlands, transmitting to it the document of adhesion, which shall be filed among the archives of said Government.

The said Government shall at once transmit to all the other powers a certified copy of the notice and of the document of adhesion, stating the date on which it has received the notice.

ARTICLE 23.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 24.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 25.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt des ratifications effectué en vertu de l'article 21 alinéas 3 et 4, ainsi que la date à laquelle auront été

ARTICLE 23.

The present convention shall take effect, with regard to the powers which have participated in the first deposit of ratifications, sixty days after the date of the record of such deposit, and, with regard to the powers which may ratify subsequently or adhere, sixty days after the notice of their ratification or adhesion has been received by the Government of the Netherlands.

ARTICLE 24.

If it should happen that one of the contracting powers wished to denounce the present convention, notice of the denunciation shall be given in writing to the Government of the Netherlands, which shall transmit a certified copy of the notice to all the other powers, informing them of the date on which it received the same.

The denunciation shall take effect only with regard to the power making it, and only one year after the notice thereof has reached the Government of the Netherlands.

ARTICLE 25.

A register kept by the Ministry for Foreign Affairs of the Netherlands shall show the date of the deposit of ratifications made in pursuance of article 21, paragraphs 3 and 4, as well as the date on

reçues les notifications d'adhésion (article 22 alinéa 2) ou de dénonciation (article 24 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

which the notices of adhesion (article 22, paragraph 2) or of denunciation (article 24, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to demand certified copies therefrom.

In witness whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention relative au régime des navires de commerce ennemis au début des hostilités.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Désireux de garantir la sécurité du commerce international contre les surprises de la guerre et voulant, conformément à la pratique moderne, protéger autant que possible les opérations engagées de bonne foi et en cours d'exécution avant le début des hostilités;

Convention Relative to the Status of Enemy Merchant Ships at the Outbreak of Hostilities.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Anxious to insure the security of international commerce against the surprises of war, and wishing, in accordance with modern practice, to protect as far as possible operations undertaken in good faith and in process of being carried out before the outbreak of hostilities,

Ont résolu de conclure une Convention à cet effet et ont nommé pour Leurs Plénipotentiaires, savoir:

[Designation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

ARTICLE PREMIER.

Lorsqu'un navire de commerce relevant d'une des Puissances belligérantes se trouve, au début des hostilités, dans un port ennemi, il est désirable qu'il lui soit permis de sortir librement, immédiatement ou après un délai de faveur suffisant, et de gagner directement, après avoir été muni d'un laissez-passer, son port de destination ou tel autre port qui lui sera désigné.

Il en est de même du navire ayant quitté son dernier port de départ avant le commencement de la guerre et entrant dans un port ennemi sans connaître les hostilités.

ARTICLE 2.

Le navire de commerce qui, par suite de circonstances de force majeure, n'aurait pu quitter le port ennemi pendant le délai visé

Have resolved to conclude a convention to this effect, and have appointed the following persons as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE 1.

When a merchant ship belonging to one of the belligerents powers is at the commencement of hostilities in an enemy port, it is desirable that it should be allowed to depart freely, either immediately, or after a reasonable number of days of grace, and to proceed, after being furnished with a pass, direct to its port of destination or any other port indicated.

The same rule should apply in the case of a ship which has left its last port of departure before the commencement of the war and entered a port belonging to the enemy while still ignorant that hostilities had broken out.

ARTICLE 2.

A merchant ship unable, owing to circumstances of *vis major*, to leave the enemy port within the period contemplated in the above

à l'article précédent, ou auquel la sortie n'aurait pas été accordée, ne peut être confisqué.

Le belligérant peut seulement le saisir moyennant l'obligation de le restituer après la guerre sans indemnité, ou le réquisitionner moyennant indemnité.

ARTICLE 3.

Les navires de commerce ennemis, qui ont quitté leur dernier port de départ avant le commencement de la guerre et qui sont rencontrés en mer ignorants des hostilités, ne peuvent être confisqués. Ils sont seulement sujets à être saisis, moyennant l'obligation de les restituer après la guerre sans indemnité, ou à être réquisitionnés, ou même à être détruits, à charge d'indemnité et sous l'obligation de pourvoir à la sécurité des personnes ainsi qu'à la conservation des papiers de bord.

Après avoir touché à un port de leur pays ou à un port neutre, ces navires sont soumis aux lois et coutumes de la guerre maritime.

ARTICLE 4.

Les marchandises ennemies se trouvant à bord des navires visés aux articles 1 et 2 sont également sujettes à être saisies et restituées après la guerre sans indemnité, ou à être réquisitionnées moyennant

article, or which was not allowed to leave, can not be confiscated.

The belligerent may detain it, without payment of compensation, subject to the obligation of restoring it after the war, or requisition it on payment of compensation.

ARTICLE 3.

Enemy merchant ships which left their last port of departure before the commencement of the war, and are encountered on the high seas while still ignorant of the outbreak of hostilities, can not be confiscated. They are only liable to detention on the understanding that they shall be restored after the war without compensation, or to be requisitioned, or even destroyed, on payment of compensation, but in such case provision must be made for the safety of the persons on board as well as the security of the ship's papers.

After touching at a port in their own country or at a neutral port, these ships are subject to the laws and customs of maritime war.

ARTICLE 4.

Enemy cargo on board the vessels referred to in articles 1 and 2 is likewise liable to be detained and restored after the termination of the war without payment of compensation, or to be requisitioned

indemnité, conjointement avec le navire ou séparément.

Il en est de même des marchandises se trouvant à bord des navires visés à l'article 3.

ARTICLE 5.

La présente Convention ne vise pas les navires de commerce dont la construction indique qu'ils sont destinés à être transformés en bâtiments de guerre.

ARTICLE 6.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 7.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

on payment of compensation, with or without the ship.

The same rule applies in the case of cargo on board the vessels referred to in article 3.

ARTICLE 5.

The present convention does not affect merchant ships whose build shows that they are intended for conversion into war ships.

ARTICLE 6.

The provisions of the present convention do not apply except between contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 7.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers which take part therein and by the Netherlands Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratifications, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 8.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 9.

La présente Convention produira effet, pour les Puissances qui

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform them of the date on which it received the notification.

ARTICLE 8.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies in writing its intention to the Netherlands Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

The said Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

ARTICLE 9.

The present convention shall come into force, in the case of the

auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 10.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 11.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 7 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 8 alinéa 2) ou de dénonciation (article 10 alinéa 1).

powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherlands Government.

ARTICLE 10.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has reached the Netherlands Government.

ARTICLE 11.

A register kept by the Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 7, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 8, paragraph 2) or of denunciation (article 10, paragraph 1) have been received.

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiée conformes.

En foi de quoi, les Plenipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances, qui ont été conviées à la Deuxième Conférence de la Paix.

Each contracting power is entitled to have access to this register and to demand certified copies therefrom.

In faith whereof the plenipotentiaries have appended to the present convention their signatures.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention relative à la transformation des navires de commerce en bâtiments de guerre.

Sa. Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Considérant qu'en vue de l'incorporation en temps de guerre de navires de la marine marchande dans les flottes de combat, il est désirable de définir les conditions dans lesquelles cette opération pourra être effectuée;

Que, toutefois, les Puissances contractantes n'ayant pu se mettre d'accord sur la question de savoir si la transformation d'un navire de commerce en bâtiment de guerre peut avoir lieu en pleine mer, il

Convention Relative to the Conversion of Merchant Ships into War Ships.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Whereas it is desirable, in view of the incorporation in time of war of merchant ships in the fighting fleet, to define the conditions subject to which this operation may be effected;

Whereas, however, the contracting powers have been unable to come to an agreement on the question whether the conversion of a merchant ship into a war ship may take place upon the high seas, it

est entendu que la question du lieu de transformation reste hors de cause et n'est nullement visée par les règles ci-dessous;

Désirant conclure une Convention à cet effet, ont nommé pour Leurs Plénipotentiaires, savoir:

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

ARTICLE PREMIER.

Aucun navire de commerce transformé en bâtiment de guerre ne peut avoir les droits et les obligations attachés à cette qualité, s'il n'est placé sous l'autorité directe, le contrôle immédiat et la responsabilité de la Puissance dont il porte le pavillon.

ARTICLE 2.

Les navires de commerce transformés en bâtiments de guerre doivent porter les signes extérieurs distinctifs des bâtiments de guerre de leur nationalité.

ARTICLE 3.

Le commandant doit être au service de l'Etat et dûment commissionné par les autorités compé-

is understood that the question of the place where such conversion is effected remains outside the scope of this agreement and is in no way affected by the following rules;

Being desirous of concluding a convention to this effect, have appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions: •

ARTICLE 1.

A merchant ship converted into a war ship can not have the rights and duties accruing to such vessels unless it is placed under the direct authority, immediate control, and responsibility of the power whose flag it flies.

ARTICLE 2.

Merchant ships converted into war ships must carry the external signs which are characteristic of the war ships of their state.

ARTICLE 3.

The commander must be in the service of the state and duly commissioned by the competent au-

tentes. Son nom doit figurer sur la liste des officiers de la flotte militaire.

ARTICLE 4.

L'équipage doit être soumis aux règles de la discipline militaire.

ARTICLE 5.

Tout navire de commerce transformé en bâtiment de guerre est tenu d'observer dans ses opérations, les lois et coutumes de la guerre.

ARTICLE 6.

Le belligérant, qui transforme un navire de commerce en bâtiment de guerre, doit, le plus tôt possible, mentionner cette transformation sur la liste des bâtiments de sa flotte militaire.

ARTICLE 7.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 8.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des

thorities. His name must figure on the list of the officers of the navy.

ARTICLE 4.

The crew must be under military discipline.

ARTICLE 5.

Every merchant ship converted into a war ship must follow in its operations the laws and customs of war.

ARTICLE 6.

A belligerent who converts a merchant ship into a war ship must, as soon as possible, announce such conversion in the list of the navy.

ARTICLE 7.

The provisions of the present convention do not apply except between contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 8.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the

Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas, et par la voie diplomatique, aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 9.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

powers who take part therein and by the Netherlands Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph the said Government shall at the same time inform them of the date on which it received the notification.

ARTICLE 9.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies its intention in writing to the Netherlands Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

That Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

ARTICLE 10.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante, jours après la date du procès-verbal de ce dépôt, et pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 10.

The present convention shall come into force, in the case of the powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherlands Government.

ARTICLE 11.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 11.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has reached the Netherlands Government.

ARTICLE 12.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 8 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 9 alinéa 2) ou de dénonciation (article 11 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plenipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas, et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été à la Deuxième Conférence de la Paix.

ARTICLE 12.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 8, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 9, paragraph 2) or of denunciation (article 11, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention relative à la pose de mines sous-marines automatiques de contact.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

S'inspirant du principe de la liberté des voies maritimes, ouvertes à toutes les nations;

Convention Relative to the Laying of Submarine Mines.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Mindful of the principle of the freedom of maritime highways, open to all nations;

Considérant que, si dans l'état actuel des choses, on ne peut interdire l'emploi de mines sous-marines automatiques de contact, il importe d'en limiter, et réglementer l'usage, afin de restreindre les rigueurs de la guerre et de donner, autant que faire se peut, à la navigation pacifique la sécurité à laquelle elle a droit de prétendre, malgré l'existence d'une guerre;

En attendant qu'il soit possible de régler la matière d'une façon qui donne aux intérêts engagés toutes les garanties désirables;

Ont résolu de conclure une Convention à cet effet et ont nommé pour Leurs Plénipotentiaires, savoir :

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE PREMIER.

Il est interdit :

1°. de placer des mines automatiques de contact non amarrées, à moins qu'elles ne soient construites de manière à devenir inoffensives une heure au maximum après que celui qui les a placées en aura perdu le contrôle;

2°. de placer des mines auto-

Considering that although in the present state of affairs it is impossible to prohibit the use of submarine mines, it is important to limit and regulate such use in order to mitigate the rigors of war and to afford to peaceful navigation, as far as possible, that security which it has a right to expect notwithstanding the existence of a war;

Until such time as it shall be found possible to regulate the matter in such a manner as to offer to the interests involved the proper guaranties;

Have resolved to conclude a convention for this purpose, and have appointed the following as their plenipotentiaries :

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions :

ARTICLE 1.

It is forbidden :

1. To lay unanchored submarine mines, except when they are so constructed as to become harmless one hour at most after they have escaped from the control of the person who laid them;

2. To lay anchored submarine

matiques de contact amarrées, qui ne deviennent pas inoffensives dès qu'elles auront rompu leurs amarres;

3°. d'employer des torpilles, qui ne deviennent pas inoffensives lorsqu'elles auront manqué leur but.

ARTICLE 2.

Il est interdit de placer des mines automatiques de contact devant les côtes et les ports de l'adversaire, dans le seul but d'intercepter la navigation de commerce.

ARTICLE 3.

Lorsque les mines automatiques de contact amarrées sont employées, toutes les précautions possibles doivent être prises pour la sécurité de la navigation pacifique.

Les belligérants s'engagent à pourvoir, dans la mesure du possible, à ce que ces mines deviennent inoffensives après un laps de temps limité, et, dans le cas où elles cesseraient d'être surveillées, à signaler les régions dangereuses, aussitôt que les exigences militaires le permettront, par un avis à la navigation, qui devra être aussi communiqué aux Gouvernements par la voie diplomatique.

ARTICLE 4.

Toute Puissance neutre qui place des mines automatiques de contact devant ses côtes, doit observer les

mines which do not become harmless as soon as they have broken loose from their moorings;

3. To use torpedoes which do not become harmless when they have missed their mark.

ARTICLE 2.

It is forbidden to lay submarine mines off the coast and ports of the enemy, with the sole object of interrupting commercial navigation.

ARTICLE 3.

When anchored submarine mines are employed, every possible precaution must be taken for the security of peaceful shipping.

The belligerents undertake to see, in as far as it is possible, that these mines become harmless within a certain interval, and in case they should cease to be looked after, to notify, as soon as military exigencies permit, those engaged in navigation, and the governments through the diplomatic channel, of the danger zones.

ARTICLE 4.

Neutral powers which lay submarine mines off their coasts must observe the same rules and take the

mêmes règles et prendre les mêmes précautions que celles qui sont imposées aux belligérants.

La Puissance neutre doit faire connaître à la navigation, par un avis préalable, les régions où seront mouillées des mines automatiques de contact. Cet avis devra être communiqué d'urgence aux Gouvernements par la voie diplomatique.

ARTICLE 5.

A la fin de la guerre, les Puissances contractantes s'engagent à faire tout ce qui dépend d'elles pour enlever, chacune de son côté, les mines qu'elles ont placées.

Quant aux mines automatiques de contact amarrées, que l'un des belligérants aurait posées le long des côtes de l'autre, l'emplacement en sera notifié à l'autre partie par la Puissance qui les a posées et chaque Puissance devra procéder dans le plus bref délai à l'enlèvement des mines qui se trouvent dans ses eaux.

ARTICLE 6.

Les Puissances contractantes, qui ne disposent pas encore de mines perfectionnées telles qu'elles sont prévues dans la présente Convention, et qui, par conséquent, ne sauraient actuellement se conformer aux règles établies dans les articles 1 et 3, s'engagent à trans-

same precautions as are imposed on belligerents.

The neutral powers must inform shipowners, by a notice issued in advance, where submarine mines have been laid. This notice must be communicated at once to the governments through the diplomatic channel.

ARTICLE 5.

At the close of the war, the contracting powers undertake to do their utmost to remove the mines which they have laid, each one removing those which it has laid.

As regards anchored submarine mines laid by one of the belligerents off the coast of the other, their position must be notified to the other party by the power which laid them, and each power must proceed with the least possible delay to remove the mines in its own waters.

ARTICLE 6.

The contracting powers which have not yet perfected mines such as the present convention has in view, and which, consequently, could not at present carry out the rules laid down in articles 1 and 3, undertake to transform these mines, as soon as possible, so as to bring

former, aussitôt que possible, leur matériel de mines, afin qu'il réponde aux prescriptions susmentionnées.

ARTICLE 7.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 8.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas et par la voie diplomatique, aux Puissances con-

them into conformity with the foregoing requirements.

ARTICLE 7.

The provisions of the present convention do not apply except between contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 8.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers which take part therein and by the Netherlands Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent, by the Netherlands Government, through the diplomatic channel, to the powers in-

viées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 9.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 10.

La présente Convention produira effet pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, et pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après la notification de leur ratifica-

vited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it has received the notification.

ARTICLE 9.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies in writing its intention to the Netherlands Government, transmitting to it the act of adhesion, which shall be deposited in the archives of the said Government.

This Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

ARTICLE 10.

The present convention shall come into force, in the case of the powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the powers which ratify subsequently or adhere, sixty days after the notification of their rati-

tion ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

fication or of their adhesion has been received by the Netherlands Government.

ARTICLE 11.

La présente Convention aura une durée de sept ans à partir du soixantième jour après la date du premier dépôt de ratifications.

Sauf dénonciation, elle continuera d'être en vigueur après l'expiration de ce délai.

La dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les Puissances, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et six mois après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 12.

Les Puissances contractantes s'engagent à reprendre la question de l'emploi des mines automatiques de contact six mois avant l'expiration du terme prévu par l'alinéa premier de l'article précédent, au cas où elle n'aurait pas été reprise et résolue à une date antérieure par la troisième Conférence de la Paix.

ARTICLE 11.

The present convention shall remain in force for seven years, dating from the sixtieth day after the date of the first deposit of ratifications.

Unless denounced, it shall continue in force after the expiration of this period.

The denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and six months after the notification has reached the Netherlands Government.

ARTICLE 12.

The contracting powers undertake to reopen the question of the employment of submarine mines six months before the expiration of the period contemplated in the first paragraph of the preceding article, in the event of the question not having been already reopened and settled by the Third Peace Conference.

Si les Puissances contractantes concluent une nouvelle Convention relative à l'emploi des mines, dès son entrée en vigueur, la présente Convention cessera d'être applicable.

If the contracting powers conclude a fresh convention relative to the employment of mines, the present convention shall cease to be applicable from the moment it comes into force.

ARTICLE 13.

Un registre tenu par le Ministère des Affaires Étrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 8 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 9 alinéa 2) ou de dénonciation (article 11 alinéa 3).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

ARTICLE 13.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 8, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 9, paragraph 2) or of denunciation (article 11, paragraph 3) have been received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention concernant le bombardement par des forces navales en temps de guerre.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Animés du désir de réaliser le vœu exprimé par la Première Conférence de la Paix, concernant le bombardement, par des forces navales, de ports, villes et villages, non défendus;

Considérant qu'il importe de soumettre les bombardements par des forces navales à des dispositions générales qui garantissent les droits des habitants et assurent la conservation des principaux édifices, en étendant à cette opération de guerre, dans la mesure du possible, les principes du Règlement de 1899 sur les lois et coutumes de la guerre sur terre;

S'inspirant ainsi du désir de servir les intérêts de l'humanité et de diminuer les rigueurs et les désastres de la guerre;

Ont résolu de conclure une Convention à cet effet et ont, en conséquence, nommé pour Leurs Plénipotentiaires, savoir:

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

Convention Respecting Bombardments by Naval Forces in Time of War.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Animated by the desire to realize the wish expressed by the First Peace Conference respecting the bombardment by naval forces of undefended ports, towns, and villages;

Considering it expedient that bombardments by naval forces should be subject to rules of general application which would safeguard the rights of the inhabitants and assure the preservation of the more important buildings, by applying as far as possible to this operation of war the principles of the regulation of 1899 respecting the laws and customs of war on land;

Actuated, accordingly, by the desire to serve the interests of humanity and to diminish the severity and disasters of war;

Have resolved to conclude a convention to this effect, and have, for this purpose, appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

CHAPITRE I. — *Du bombardement des ports, villes, villages, habitations ou bâtiments non défendus.*

ARTICLE PREMIER.

Il est interdit de bombarder, par des forces navales, des ports, villes, villages, habitations ou bâtiments, qui ne sont pas défendus.

Une localité ne peut pas être bombardée à raison du seul fait que, devant son port, se trouvent mouillées des mines sous-marines automatiques de contact.

ARTICLE 2.

Toutefois, ne sont pas compris dans cette interdiction les ouvrages militaires, établissements militaires ou navals, dépôts d'armes ou de matériel de guerre, ateliers et installations propres à être utilisés pour les besoins de la flotte ou de l'armée ennemie, et les navires de guerre se trouvant dans le port. Le commandant d'une force navale pourra, après sommation avec délai raisonnable, les détruire par le canon, si tout autre moyen est impossible et lorsque les autorités locales n'auront pas procédé à cette destruction dans le délai fixé.

Il n'encourt aucune responsabilité dans ce cas pour les dommages involontaires, qui pourraient être occasionnés par le bombardement.

Si des nécessités militaires, exigeant une action immédiate, ne

CHAPTER I. — *The bombardment of undefended ports, towns, villages, dwellings, or buildings.*

ARTICLE 1.

Naval forces are forbidden to bombard ports, cities, villages, habitations, or buildings which are not defended.

A place must not be bombarded for the sole reason that there are submarine automatic contact mines anchored in front of its port.

ARTICLE 2.

Military works, military or naval establishments, depots of arms or material of war, shops and establishments suitable to be utilized for the needs of the enemy's army or navy, and vessels of war then in the port are not included in this prohibition, and the commander of a naval force may, after demand and a reasonable delay, destroy them by cannon, if no other measures are possible, and if the local authorities have not proceeded to such destruction within the time fixed.

The commander incurs no responsibility in this case for the accidental damage which may be occasioned by the bombardment.

If military necessity, requiring immediate action, does not permit

permettaient pas d'accorder de délai, il reste entendu que l'interdiction de bombarder la ville non défendue subsiste comme dans le cas énoncé dans l'alinéa 1^{er} et que le commandant prendra toutes les dispositions voulues pour qu'il en résulte pour cette ville le moins d'inconvénients possible.

ARTICLE 3.

Il peut, après notification expresse, être procédé au bombardement des ports, villes, villages, habitations ou bâtiments non défendus, si les autorités locales, mises en demeure par une sommation formelle, refusent d'obtempérer à des réquisitions de vivres ou d'approvisionnements nécessaires au besoin présent de la force navale qui se trouve devant la localité.

Ces réquisitions seront en rapport avec les ressources de la localité. Elles ne seront réclamées qu'avec l'autorisation du commandant de ladite force navale et elles seront, autant que possible, payées au comptant; sinon elles seront constatées par des reçus.

ARTICLE 4.

Est interdit le bombardement, pour le non paiement des contributions en argent, des ports, villes, villages, habitations ou bâtiments, non défendus.

a delay to be accorded, it is understood that the prohibition of bombardment of the undefended city applies, as in the case treated in paragraph 1, and that the commander must take the necessary measures to relieve the city as much as possible of distress.

ARTICLE 3.

After express notification, the bombardment of undefended ports, cities, villages, habitations, or buildings may be proceeded with, if the local authorities, having received formal summons, refuse to comply with the requisitions for supplies or provisions necessary at the time for the needs of the naval force in the locality.

These requisitions shall be in proportion to the resources of the locality. They shall not be made except with the authorization of the commander of the said naval forces and they shall be, as far as possible, paid for in cash; otherwise receipts shall be given.

ARTICLE 4.

It is forbidden to bombard, for the nonpayment of contributions in money, undefended ports, cities, villages, habitations, or buildings.

CHAPITRE II. — *Dispositions générales.*CHAPTER II. — *General provisions.*

ARTICLE 5.

Dans le bombardement par des forces navales, toutes les mesures nécessaires doivent être prises par le commandant pour épargner, autant que possible, les édifices consacrés aux cultes, aux arts, aux sciences et à la bienfaisance, les monuments historiques, les hôpitaux et les lieux de rassemblement de malades ou de blessés, à condition qu'ils ne soient pas employés en même temps à un but militaire.

Le devoir des habitants est de désigner ces monuments, ces édifices ou lieux de rassemblement, par des signes visibles, qui consisteront en grands panneaux rectangulaires rigides, partagés, suivant une des diagonales, en deux triangles de couleur, noire en haut et blanche en bas.

ARTICLE 6.

Sauf le cas où les exigences militaires ne le permettraient pas, le commandant de la force navale assaillante doit, avant d'entreprendre le bombardement, faire tout ce qui dépend de lui pour avertir les autorités.

ARTICLE 7.

Il est interdit de livrer au pillage une ville ou localité même prise d'assaut.

ARTICLE 5.

In bombardment by naval forces all the necessary precautions shall be taken by the commander to spare, as far as possible, historic monuments, edifices devoted to worship, to art, to science and to charity, and hospitals and places where there are sick and wounded, on condition that they be not used at the same time for military purposes.

It is the duty of the inhabitants to designate these monuments, buildings, or places of assembly, by visible signs, which shall consist of large, stiff rectangles, divided diagonally into two triangles, the upper one black and the lower white.

ARTICLE 6.

Except in case where military necessities do not permit, the commander of the attacking naval force shall, before beginning bombardment, do everything in his power to warn the authorities.

ARTICLE 7.

It is forbidden to abandon a city or locality to pillage even when taken by assault.

CHAPITRE III. — *Dispositions finales.*

ARTICLE 8.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 9.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas et par la voie diplomatique, aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Pui-

CHAPTER III. — *Final provisions.*

ARTICLE 8.

The provisions of the present convention do not apply except between contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 9.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers which take part therein and by the Netherlands Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers

sances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 10.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 11.

La présente Convention produira effet pour, les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

which have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 10.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere shall notify its intention to the Netherlands Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

This Government shall immediately forward to all the other powers a duly certified copy of the notification, as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 11.

The present convention shall come into force, in the case of the powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherlands Government.

ARTICLE 12.

S'il arrivait qu'une des Puissances Contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 13.

Un registre tenu par le Ministre des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 9 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 10 alinéa 2) ou de dénonciation (article 12 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des

ARTICLE 12.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has reached the Netherlands Government.

ARTICLE 13.

A register kept by the Netherlands Minister for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 9, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 10, paragraph 2) or of denunciation (article 12, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Gov-

Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

ernment, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention pour l'adaptation à la guerre maritime des principes de la Convention de Genève.

Convention for the Adaptation of the Principles of the Geneva Convention to Maritime Warfare.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

His Majesty the Emperor of Germany, King of Prussia; etc.:

Egalement animés du désir de diminuer, autant qu'il dépend d'eux, les maux inséparables de la guerre;

Animated alike by the desire to diminish, as far as depends on them, the inevitable evils of war;

Et voulant, dans ce but, adapter à la guerre maritime les principes de la Convention de Genève du 6 juillet 1906;

And wishing with this object to adapt to maritime warfare the principles of the Geneva Convention of the 6th July, 1906;

Ont résolu de conclure une Convention à l'effet de réviser la Convention du 29 juillet 1899 relative à la même matière et ont nommé pour Leurs Plénipotentiaires, savoir:

Have resolved to conclude a convention for the purpose of revising the convention of the 29th July, 1899, relative to this question, and have appointed the following as their plenipotentiaries:

[Désignation des Plénipotentiaires.]

[Names of plenipotentiaries.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE PREMIER.

Les bâtiments-hôpitaux militaires, c'est-à-dire les bâtiments construits ou aménagés par les Etats spécialement et uniquement en vue de porter secours aux blessés, malades et naufragés, et dont les noms auront été communiqués, à l'ouverture ou au cours des hostilités, en tout cas avant toute mise en usage, aux Puissances belligérantes, sont respectés et ne peuvent être capturés pendant la durée des hostilités.

Ces bâtiments ne sont pas non plus assimilés aux navires de guerre au point de vue de leur séjour dans un port neutre.

ARTICLE 2.

Les bâtiments hospitaliers, équipés en totalité ou en partie aux frais des particuliers ou des sociétés de secours officiellement reconnues, sont également respectés et exempts de capture, si la Puissance belligérante dont ils dépendent, leur a donné une commission officielle et en a notifié les noms à la Puissance adverse à l'ouverture ou au cours des hostilités, en tout cas avant toute mise en usage.

Ces navires doivent être porteurs d'un document de l'autorité compétente déclarant qu'ils ont été soumis à son contrôle pendant leur armement et à leur départ final.

ARTICLE 1.

Military hospital ships, that is to say, ships constructed or assigned by states specially and solely for the purpose of assisting the wounded, sick, or shipwrecked, the names of which shall have been communicated to the belligerent powers at the beginning or during the course of hostilities, and in any case before they are employed, shall be respected and can not be captured while hostilities last.

These ships, moreover, are not on the same footing as men-of-war as regards their stay in a neutral port.

ARTICLE 2.

Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized relief societies, shall likewise be respected and exempt from capture, provided the belligerent power to whom they belong has given them an official commission and has notified their names to the hostile power at the commencement of or during hostilities, and in any case before they are employed.

These ships should be furnished with a certificate from the competent authorities, declaring that they had been under their control while fitting out and on final departure.

ARTICLE 3.

Les bâtiments hospitaliers, équipés en totalité ou en partie aux frais des particuliers ou des sociétés officiellement reconnues de pays neutres, sont respectés et exempts de capture, à condition qu'ils se soient mis sous la discrétion de l'un des belligérants, avec l'assentiment préalable de leur propre Gouvernement et avec l'autorisation du belligérant lui-même et que ce dernier en ait notifié le nom à son adversaire dès l'ouverture ou dans le cours des hostilités, en tout cas, avant tout emploi.

ARTICLE 4.

Les bâtiments qui sont mentionnés dans les articles 1, 2 et 3, porteront secours et assistance aux blessés, malades et naufragés des belligérants sans distinction de nationalité.

Les Gouvernements s'engagent à n'utiliser ces bâtiments pour aucun but militaire.

Ces bâtiments ne devront gêner en aucune manière les mouvements des combattants.

Pendant et après le combat, ils agiront à leurs risques et périls.

Les belligérants auront sur eux le droit de contrôle et de visite; ils pourront refuser leur concours,

ARTICLE 3.

Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized societies of neutral countries, shall be respected and exempt from capture, on condition that they shall have placed themselves under the direction of one of the belligerents, with the previous assent of their own government and with the authorization of the belligerent himself, and that the said belligerent shall have notified their names to the belligerent powers at the commencement of or during hostilities, and in any case before they are employed.

ARTICLE 4.

The ships mentioned in articles 1, 2, and 3 shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents independently of their nationality.

The governments agree not to use these ships for any military purpose.

These ships must not in any way hamper the movements of the combatants.

During and after an engagement they will act at their own risk and peril.

The belligerents shall have the right to control and visit them; they can refuse their cooperation,

leur enjoindre de s'éloigner, leur imposer une direction déterminée et mettre à bord un commissaire, même les détenir, si la gravité des circonstances l'exigeait.

Autant que possible, les belligérants inscriront sur le journal de bord des bâtiments hospitaliers les ordres qu'ils leur donneront.

ARTICLE 5.

Les bâtiments-hôpitaux militaires seront distingués par une peinture extérieure blanche avec une bande horizontale verte d'un mètre et demi de largeur environ.

Les bâtiments qui sont mentionnés dans les articles 2 et 3, seront distingués par une peinture extérieure blanche avec une bande horizontale rouge d'un mètre et demi de largeur environ.

Les embarcations des bâtiments qui viennent d'être mentionnés, comme les petits bâtiments qui pourront être affectés au service hospitalier, se distingueront par une peinture analogue.

Tous les bâtiments hospitaliers se feront reconnaître en hissant, avec leur pavillon national, le pavillon blanc à croix-rouge prévu par la Convention de Genève et, en outre, s'ils ressortissent à un Etat neutre, en arborant au grand mât le pavillon national du belligérant sous la direction duquel ils se sont placés.

order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if important circumstances require it.

As far as possible the belligerents shall enter on the log of the hospital ships the orders they give them.

ARTICLE 5.

The military hospital ships shall be distinguished by being painted white outside, with a horizontal band of green about a meter and a half in breadth.

The ships mentioned in articles 2 and 3 shall be distinguished by being painted white outside, with a horizontal band of red about a meter and a half in breadth.

The boats of the ships above mentioned, as well as small craft which may be used for hospital work, shall be distinguished by similar painting.

All hospital ships shall make themselves known by hoisting, together with their national flag, the white flag with a red cross provided by the Geneva Convention, and in addition, if under the jurisdiction of a neutral state, by hoisting on the mainmast the national flag of the belligerent under whose direction they have placed themselves.

Les bâtiments hospitaliers qui, dans les termes de l'article 4, sont détenus par l'ennemi, auront à rentrer le pavillon national du belligérant dont ils relèvent.

Les bâtiments et embarcations ci-dessus mentionnés, qui veulent s'assurer la nuit le respect auquel ils ont droit, ont, avec l'assentiment du belligérant qu'ils accompagnent, à prendre les mesures nécessaires pour que la peinture qui les caractérise soit suffisamment apparente.

ARTICLE 6.

Les signes distinctifs prévus à l'article 5 ne pourront être employés, soit en temps de paix, soit en temps de guerre, que pour protéger ou désigner les bâtiments qui y sont mentionnés.

ARTICLE 7.

Dans le cas d'un combat à bord d'un vaisseau de guerre, les infirmeries seront respectées et ménagées autant que faire se pourra.

Ces infirmeries et leur matériel demureront soumis aux lois de la guerre, mais ne pourront être détournés de leur emploi, tant qu'ils seront nécessaires aux blessés et malades.

Toutefois le commandant, qui les a en son pouvoir, a la faculté d'en disposer, en cas de nécessité mili-

The hospital ships when detained by the enemy under the provisions of article 4 shall haul down the national flag of the belligerent to whom they appertain.

The ships and boats above mentioned which wish to be shown, during the night, the consideration which is their due, shall take, with the consent of the belligerent they accompany, the necessary measures in order to make the painting that characterizes them sufficiently apparent.

ARTICLE 6.

The distinctive signs provided for in article 5 can only be used, in time of peace or in time of war, for the protection or to designate the ships therein mentioned.

ARTICLE 7.

In the case of an encounter on board a war vessel, the infirmaries (*i. e.*, the hospital wards of the ship) shall be respected and saved to as great an extent as possible.

These infirmaries and their material remain subject to the laws of warfare, but can not be alienated from their use, so long as they are needed by the wounded or sick.

However, the commanding officer who has them in his power has the right to dispose of them, in a

taire importante, en assurant au préalable le sort des blessés et malades qui s'y trouvent.

case of important military necessity, by previously taking care of the wounded and sick therein.

ARTICLE 8.

La protection due aux bâtiments hospitaliers et aux infirmeries des vaisseaux cesse si l'on en use pour commettre des actes nuisibles à l'ennemi.

N'est pas considéré comme étant de nature à justifier le retrait de la protection le fait que le personnel de ces bâtiments et infirmeries est armé pour le maintien de l'ordre et pour la défense des blessés ou malades, ainsi que le fait de la présence à bord d'une installation radio-télégraphique.

ARTICLE 8.

The protection due to hospital ships and infirmaries of vessels ceases if they are used to commit acts detrimental to the enemy.

The fact that the personnel of these ships and infirmaries is armed for the maintenance of order and the defense of the wounded and sick, as well as the fact of the presence on board of a wireless telegraphic installation, is not to be considered of a nature to justify the withdrawal of protection.

ARTICLE 9.

Les belligérants pourront faire appel au zèle charitable des commandants de bâtiments de commerce, yachts ou embarcations neutres, pour prendre à bord et soigner des blessés ou des malades.

Les bâtiments qui auront répondu à cet appel ainsi que ceux qui spontanément auront recueilli des blessés, des malades ou des naufragés, jouiront d'une protection spéciale et de certaines immunités. En aucun cas, ils ne pourront être capturés pour le fait d'un tel transport; mais, sauf les promesses qui leur auraient été

ARTICLE 9.

The belligerents shall be able to appeal to the charitable zeal of the commanders of merchant vessels, yachts, or neutral vessels to take on board and care for the wounded and sick.

The vessels that shall have answered this appeal, as well as those who shall have spontaneously sheltered the wounded, sick, or shipwrecked, shall be benefited by special protection and certain immunities. In no case shall they be captured for the fact of such a cargo; but, excepting promises that may have been made them, they

faites, ils restent exposés à la capture pour les violations de neutralité qu'ils pourraient avoir commises.

ARTICLE 10.

Le personnel religieux, médical et hospitalier de tout bâtiment capturé est inviolable et ne peut être fait prisonnier de guerre. Il emporte, en quittant le navire, les objets et les instruments de chirurgie qui sont sa propriété particulière.

Ce personnel continuera à remplir ses fonctions tant que cela sera nécessaire et il pourra ensuite se retirer, lorsque le commandant en chef le jugera possible.

Les belligérants doivent assurer à ce personnel tombé entre leurs mains, les mêmes allocations et la même solde qu'au personnel des mêmes grades de leur propre marine.

ARTICLE 11.

Les marins et les militaires embarqués, et les autres personnes officiellement attachées aux marines ou aux armées, blessés ou malades, à quelque nation qu'ils appartiennent, seront respectés et soignés par les capteurs.

ARTICLE 12.

Tout vaisseau de guerre d'une partie belligérante peut réclamer la remise des blessés, malades ou

shall be liable to capture for the violations of neutrality they may have committed.

ARTICLE 10.

The religious, medical, or hospital staff of any captured ship is inviolable, and its members can not be made prisoners of war. On leaving the ship they take with them the effects and surgical instruments which are their own private property.

This staff shall continue to discharge its duties while necessary, and can afterwards leave when the commander in chief considers it possible.

The belligerents must guarantee to the staff that has fallen into their hands the same allowances and the same salary as the staff of the same grades of their own navy.

ARTICLE 11.

The sailors and soldiers who are taken on board, and other persons officially connected with the army or navy, when sick or wounded, to whatever nation they belong, shall be protected and looked after by the captors.

ARTICLE 12.

Every war ship of a belligerent can claim the delivery of the wounded, sick, or shipwrecked that

naufragés, qui sont à bord de bâtiments-hôpitaux militaires, de bâtiments hospitaliers de société de secours ou de particuliers, de navires de commerce, yachts et embarcations, quelle que soit la nationalité de ces bâtiments.

ARTICLE 13.

Si des blessés, malades ou naufragés sont recueillis à bord d'un vaisseau de guerre neutre, il devra être pourvu, dans la mesure du possible, à ce qu'ils ne puissent pas de nouveau prendre part aux opérations de la guerre.

ARTICLE 14.

Sont prisonniers de guerre les naufragés, blessés ou malades, d'un belligérant qui tombent au pouvoir de l'autre. Il appartient à celui-ci de décider, suivant les circonstances, s'il convient de les garder, de les diriger sur un port de sa nation, sur un port neutre ou même sur un port de l'adversaire. Dans ce dernier cas, les prisonniers ainsi rendus à leur pays ne pourront servir pendant la durée de la guerre.

ARTICLE 15.

Les naufragés, blessés ou malades, qui sont débarqués dans un port neutre, du consentement de l'autorité locale, devront, à moins d'un arrangement contraire de

are on board military hospital ships, hospital ships of relief societies or of private parties, merchant vessels, yachts, and boats, whatever the nationality of these vessels may be.

ARTICLE 13.

If wounded, sick, or shipwrecked persons are sheltered on board a neutral war ship, measures shall be taken to prevent their again taking part in the operations of war.

ARTICLE 14.

The shipwrecked, wounded, or sick of one of the belligerents who fall into the hands of the other are prisoners of war. The captor must decide, according to circumstances, whether it is best to keep them or send them to a port of his own country, to a neutral port, or even to a hostile port. In the last event, prisoners thus delivered up to their country can not serve as long as the war lasts.

ARTICLE 15.

The shipwrecked, wounded, or sick that are landed in a neutral port with the consent of the local authority shall, unless a contrary arrangement exists between the

l'Etat neutre avec les Etats belligérants, être gardés par l'Etat neutre de manière qu'ils ne puissent pas de nouveau prendre part aux opérations de la guerre.

Les frais d'hospitalisation et d'internement seront supportés par l'Etat dont relèvent les naufragés, blessés ou malades.

neutral power and the belligerent powers, be guarded by the neutral power in such manner as to prevent their taking part in the operations of war.

The hospital and internment expenses shall be borne by the power to whom the shipwrecked, wounded, or sick belong.

ARTICLE 16.

Après chaque combat, les deux Parties belligérantes, en tant que les intérêts militaires le comportent, prendront des mesures pour rechercher les naufragés, les blessés et les malades et pour les faire protéger, ainsi que les morts, contre le pillage et les mauvais traitements.

Elles veilleront à ce que l'inhumation, l'immersion ou l'incinération des morts soit précédée d'un examen attentif de leurs cadavres.

ARTICLE 16.

After each engagement the two belligerent parties shall, in so far as military interests allow them, take measures to search for the shipwrecked, wounded, and sick, to have them protected, as well as the dead, from looting and bad treatment.

They shall watch that the burial, immersion (burial at sea), or cremation of the dead is preceded by a careful examination of their bodies.

ARTICLE 17.

Chaque belligérant enverra, dès qu'il sera possible, aux autorités de leur pays, de leur marine ou de leur armée, les marques ou pièces militaires d'identité trouvées sur les morts et l'état nominatif des blessés ou malades recueillis par lui.

Les belligérants se tiendront réciproquement au courant des internements et des mutations, ainsi

ARTICLE 17.

Each belligerent shall send, as soon as possible, to the authorities of its country, navy or army, the identification marks or military badges found on the dead and the list of names of the wounded or sick taken in charge.

The belligerents shall keep each other reciprocally informed of internments and transfers, as well

que des entrées dans les hôpitaux et des décès survenus parmi les blessés et malades en leur pouvoir. Ils recueilleront tous les objets d'un usage personnel, valeurs, lettres, etc. qui seront trouvés dans les vaisseaux capturés, ou délaissés par les blessés ou malades décédés dans les hôpitaux, pour les faire transmettre aux intéressés par les autorités de leur pays.

ARTICLE 18.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 19.

Les commandants en chef des flottes des belligérants auront à pourvoir aux détails d'exécution des articles précédents, ainsi qu'aux cas non prévus, d'après les instructions de leurs Gouvernements respectifs et conformément aux principes généraux de la présente Convention.

ARTICLE 20.

Les Puissances signataires prendront les mesures nécessaires pour instruire leurs marines, et spécialement le personnel protégé, des dispositions de la présente Convention et pour les porter à la connaissance des populations.

as of admissions into hospitals and of deaths occurring among the wounded and sick in their power. They shall collect all things of personal use, valuables, letters, etc., that are found on the captured vessels, or left by the wounded or sick dying in hospitals, in order to have them transmitted to the interested parties by the authorities of their country.

ARTICLE 18.

Provisions of the present convention only apply between the contracting powers when the belligerents are all parties to the convention.

ARTICLE 19.

The commanders in chief of belligerent fleets shall see to the execution of the details of the preceding articles, as well as to unforeseen cases, according to the instructions of their respective governments and conformably to the general principles of the present convention.

ARTICLE 20.

The signatory powers shall take all necessary measures to instruct their navies, and especially the protected personnel, with regard to the provisions of the present convention and to bring them to the knowledge of the public.

ARTICLE 21.

Les Puissances signataires s'engagent également à prendre ou à proposer à leurs législatures, en cas d'insuffisance de leurs lois pénales, les mesures nécessaires pour réprimer en temps de guerre, les actes individuels de pillage et de mauvais traitements envers des blessés et malades des marines, ainsi que pour punir, comme usurpation d'insignes militaires, l'usage abusif des signes distinctifs désignés à l'article 5 par des bâtiments non protégés par la présente Convention.

Ils se communiqueront, par l'intermédiaire du Gouvernement des Pays-Bas, les dispositions relatives à cette répression, au plus tard dans les cinq ans de la ratification de la présente convention.

ARTICLE 21.

The signatory powers also pledge themselves to take or to propose to their legislative bodies, in case of insufficiency in their penal laws, the necessary measures to repress, in time of war, individual acts of looting and bad treatment of the wounded and sick of the navies, and also to punish, as usurpation of military insignia, the improper use of the distinctive signs designated in article 5 for vessels not protected by the present convention.

They shall communicate to each other, through the intermediary of the Government of the Netherlands, the provisions relative to such repression, five years at the latest after the ratification of the present convention.

ARTICLE 22.

En cas d'opérations de guerre entre les forces de terre et de mer des belligérants, les dispositions de la présente Convention ne seront applicables qu'aux forces embarquées.

ARTICLE 22.

In case of war operations between the land and sea forces of the belligerents, the provisions of the present convention shall only be applicable to the embarked forces.

ARTICLE 23.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications

ARTICLE 23.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications

sera constaté par un *procès-verbal* signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du *procès-verbal* relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 24.

Les Puissances non signataires qui auront accepté la Convention de Genève du 6 juillet 1906, sont admises à adhérer à la présente Convention.

La Puissances qui désire adhérer, notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui

shall be recorded in a *procès-verbal* signed by the representatives of the powers taking part therein and by the Netherlands Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A certified copy of the *procès-verbal* relative to the first deposit of ratifications, or the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government through the diplomatic channel to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 24.

Nonsignatory powers which have accepted the Geneva Convention of the 6th July, 1906, may adhere to the present convention.

The power which desires to adhere, notifies its intention to the Netherlands Government in writing, forwarding to it the act of

sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 25.

La présente Convention, dûment ratifiée, remplacera dans les rapports entre les Puissances contractantes, la Convention du 29 juillet 1899 pour l'adaptation à la guerre maritime des principes de la Convention de Genève.

La Convention de 1899 reste en vigueur dans les rapports entre les Puissances qui l'ont signée et qui ne ratifieraient pas également la présente Convention.

ARTICLE 26.

La présente Convention produira effet pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

adhesion, which shall be deposited in the archives of the said Government.

The said Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 25.

The present convention, duly ratified, shall replace, as between contracting powers, the convention of the 29th July, 1899, for the adaptation to maritime warfare of the principles of the Geneva Convention.

The convention of 1899 remains in force as between the powers which signed it, but which do not also ratify the present convention.

ARTICLE 26.

The present convention shall come into force, in the case of the powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherlands Government.

ARTICLE 27.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas, qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 27.

In the event of one of the contracting powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other powers, informing them at the same time of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has reached the Netherlands Government.

ARTICLE 28.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt des ratifications effectué en vertu de l'article 23 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notification d'adhésion (article 24 alinéa 2) ou de dénonciation (article 27 alinéa 1).

Chaque Puissances contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octo-

ARTICLE 28.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 23, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 24, paragraph 2) or of denunciation (article 27, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th

bre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Convention relative à certaines restrictions à l'exercice du droit de capture dans la guerre maritime.

Convention Relative to Certain Restrictions on the Exercise of the Right of Capture in Maritime War.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

His Majesty the Emperor of Germany; King of Prussia; etc.:

Reconnaissant la nécessité de mieux assurer que par le passé l'application équitable du droit aux relations maritimes internationales en temps de guerre;

Recognizing the necessity of more effectively insuring than hitherto the equitable application of law to the international relations of maritime powers in time of war;

Estimant que, pour y parvenir, il convient, en abandonnant ou en conciliant le cas échéant dans un intérêt commun certaines pratiques divergentes anciennes, d'entreprendre de codifier dans des règles communes les garanties dues au commerce pacifique et au travail inoffensif, ainsi que la conduite des hostilités sur mer; qu'il importe de fixer dans des engagements mutuels écrits les principes demeurés jusqu'ici dans le domaine incertain de la controverse ou laissés à l'arbitraire des Gouvernements;

Considering that, for this purpose, it is expedient, in giving up or, if necessary, in harmonizing for the common interest certain conflicting practices of long standing, to commence codifying in regulations of general application the guaranties due to peaceful commerce and legitimate business, as well as the conduct of hostilities by sea; that it is expedient to lay down in written mutual engagements the principles which have hitherto remained in the uncertain domain of controversy or have been left to the discretion of governments;

Que, dès à présent, un certain nombre de règles peuvent être posées, sans qu'il soit porté atteinte au droit actuellement en vigueur concernant les matières qui n'y sont pas prévues;

Ont nommé pour Leurs Plénipotentiaires, savoir:

[Designation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

CHAPITRE I. — *De la correspondance postale.*

ARTICLE PREMIER.

La correspondance postale des neutres ou des belligérants, quel que soit son caractère officiel ou privé, trouvée en mer sur un navire neutre ou ennemi, est inviolable. S'il y a saisie du navire, elle est expédiée avec le moins de retard possible par le capteur.

Les dispositions de l'alinéa précédent ne s'appliquent pas, en cas de violation de blocus, à la correspondance qui est à destination ou en provenance du port bloqué.

ARTICLE 2.

L'inviolabilité de la correspondance postale ne soustrait pas les

That, from henceforth, a certain number of rules may be made, without affecting the common law now in force with regard to the matters which have not been provided for:

Have appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

CHAPTER I. — *Postal correspondence.*

ARTICLE 1.

The postal correspondence of neutrals or belligerents, whatever its official or private character may be, found on the high seas on board a neutral or enemy ship, is inviolable. If the ship is detained, the correspondence is forwarded by the captor with the least possible delay.

The provisions of the preceding paragraph do not apply, in case of violation of blockade, to correspondence destined for or proceeding from a blockaded port.

ARTICLE 2.

The inviolability of postal correspondence does not exempt a neu-

paquebots-poste neutres aux lois et coutumes de la guerre sur mer concernant les navires de commerce neutres en général. Toutefois, la visite n'en doit être effectuée qu'en cas de nécessité, avec tous les ménagements et toute la célérité possibles.

tral mail ship from the laws and customs of maritime war applying to neutral merchant ships in general. The ship, however, may not be searched except when absolutely necessary, and then only with as much consideration and expedition as possible.

CHAPITRE II. — *De l'exemption de capture pour certains bateaux.*

CHAPTER II. — *The exemption from capture of certain vessels.*

ARTICLE 3.

Les bateaux exclusivement affectés à la pêche côtière ou à des services de petite navigation locale sont exempts de capture, ainsi que leurs engins, agrès, appareils et chargement.

Cette exemption cesse de leur être applicable dès qu'ils participent d'une façon quelconque aux hostilités.

Les Puissances contractantes s'interdisent de profiter du caractère inoffensif desdits bateaux pour les employer dans un but militaire en leur conservant leur apparence pacifique.

ARTICLE 4.

Sont également exempts de capture les navires chargés de missions religieuses, scientifiques ou philanthropiques.

ARTICLE 3.

Vessels used exclusively for fishing along the coast or small boats employed in local trade are exempt from capture, as well as their appliances, rigging, tackle, and cargo.

They cease to be exempt as soon as they take any part whatever in hostilities.

The contracting powers agree not to take advantage of the harmless character of the said vessels in order to use them for military purposes while preserving their peaceful appearance.

ARTICLE 4.

Vessels charged with religious, scientific, or philanthropic missions are likewise exempt from capture.

CHAPITRE III. — *Du régime des équipages des navires de commerce ennemis capturés par un belligérant.*

ARTICLE 5.

Lorsqu'un navire de commerce ennemi est capturé par un belligérant, les hommes de son équipage, nationaux d'un Etat neutre, ne sont pas faits prisonniers de guerre.

Il en est de même du capitaine et des officiers, également nationaux d'un Etat neutre, s'ils promettent formellement par écrit de ne pas servir sur un navire ennemi pendant la durée de la guerre.

ARTICLE 6.

Le capitaine, les officiers et les membres de l'équipage, nationaux de l'Etat ennemi, ne sont pas faits prisonniers de guerre, à condition qu'ils s'engagent, sous la foi d'une promesse formelle écrite, à ne prendre, pendant la durée des hostilités, aucun service ayant rapport avec les opérations de la guerre.

ARTICLE 7.

Les noms des individus laissés libres dans les conditions visées à l'article 5 alinéa 2 et à l'article 6, sont notifiés par le belligérant capteur à l'autre belligérant. Il est interdit à ce dernier d'employer sciemment lesdits individus.

CHAPTER III. — *Regulations regarding the crews of enemy merchant ships captured by a belligerent.*

ARTICLE 5.

When an enemy merchant ship is captured by a belligerent, such of its crew as are nationals of a neutral state are not made prisoners of war.

The same rule applies in the case of the captain and officers, likewise nationals of a neutral state, if they promise formally in writing not to serve on an enemy ship while the war lasts.

ARTICLE 6.

The captain, officers, and members of the crew, when nationals of the enemy state, are not made prisoners of war, on condition that they make a formal promise in writing not to undertake, while hostilities last, any service connected with the operations of the war.

ARTICLE 7.

The names of the persons retaining their liberty under the conditions laid down in article 5, paragraph 2, and in article 6, are communicated by the belligerent captor to the other belligerent. The latter is forbidden knowingly to employ the said persons.

ARTICLE 8.

Les dispositions des trois articles précédents ne s'appliquent pas aux navires qui prennent part aux hostilités.

ARTICLE 8.

The provisions of the three preceding articles do not apply to ships taking part in the hostilities.

CHAPITRE IV. — *Dispositions finales.*

ARTICLE 9.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous Parties à la Convention.

CHAPTER IV. — *Final provisions.*

ARTICLE 9.

The provisions of the present convention do not apply except between contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 10.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa pré-

ARTICLE 10.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers taking part therein and by the Netherlands Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preced-

cèdent ainsi que des instruments de ratification, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 11.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifié par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 12.

La présente Convention produira effet pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt

ing paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 11.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies its intention in writing to the Netherlands Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

This Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 12.

The present convention shall come into force in the case of the powers which were a party to the first deposit of ratifications sixty days after the *procès-verbal* of that

et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 13.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 14.

Un registre tenu par le Ministère des Affaires Étrangères des Pays-Bas indiquera la date du dépôt des ratifications effectué en vertu de l'article 10 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 11 alinéa 2) ou de dénonciation (article 13 alinéa 1).

Chaque Puissance contractante est admise à prendre connais-

saissance, et, en cas de dépôt, et, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification has been received by the Netherlands Government.

ARTICLE 13.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has reached the Netherlands Government.

ARTICLE 14.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of article 10, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 11, paragraph 2) or of denunciation (article 13, paragraph 1) have been received.

Each contracting power is entitled to have access to this register

sance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

and to be supplied with duly certified extracts from it.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers invited to the Second Peace Conference.

[TRANSLATION.]

Convention relative à l'établissement d'une cour internationale des prises.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; etc.:

Animés du désir de régler d'une manière équitable les différends qui s'élèvent, parfois, en cas de guerre maritime, à propos des décisions des tribunaux de prises nationaux;

Estimant que, si ces tribunaux doivent continuer à statuer suivant les formes prescrites par leur législation, il importe que, dans des cas déterminés, un recours puisse être formé sous des conditions qui concilient, dans la mesure du possible,

Convention Relative to the Establishment of an International Prize Court.

His Majesty the Emperor of Germany, King of Prussia; etc.:

Animated by the desire to settle in an equitable manner the differences which sometimes arise in the course of a naval war in connection with the decisions of national prize courts;

Considering that, if these courts are to continue to exercise their functions in the manner determined by national legislation, it is desirable that in certain cases an appeal should be provided under conditions conciliating, as far as

les intérêts publics et les intérêts privés engagés dans toute affaire de prises;

Considérant, d'autre part, que l'institution d'une Cour internationale, dont la compétence et la procédure seraient soigneusement réglées, a paru le meilleur moyen d'atteindre ce but;

Persuadés, enfin, que de cette façon les conséquences rigoureuses d'une guerre maritime pourront être atténuées; que notamment les bons rapports entre les belligérants et les neutres auront plus de chance d'être maintenus et qu'ainsi la conservation de la paix sera mieux assurée;

Désirant conclure une convention à cet effet, ont nommé pour Leurs Plénipotentiaires, savoir:

[Designation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

TITRE I. — *Dispositions générales.*

ARTICLE PREMIER.

La validité de la capture d'un navire de commerce ou de sa cargaison est, s'il s'agit de propriétés neutres ou ennemies, établie devant

possible, the public and private interests involved in matters of prize;

Considering, moreover, the institution of an international court, whose jurisdiction and procedure would be carefully defined, has seemed to be the best method of attaining this object;

Convinced, finally, that in this manner the hardships consequent on naval war would be mitigated; that, in particular, good relations will be more easily maintained between belligerents and neutrals and peace better assured;

Desirous of concluding a convention to this effect, have appointed the following as their plenipotentiaries:

[Names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

TITLE I. — *General provisions.*

ARTICLE 1.

The validity of the capture of a merchant ship or its cargo is decided before a prize court in accordance with the present conven-

une juridiction des prises conformément à la présente Convention.

ARTICLE 2.

La juridiction des prises est exercée d'abord par les tribunaux de prises du belligérant capteur.

Les décisions de ces tribunaux sont prononcées en séance publique ou notifiées d'office aux parties neutres ou ennemies.

ARTICLE 3.

Les décisions des tribunaux de prises nationaux peuvent être l'objet d'un recours devant la Cour internationale des prises :

- 1°. lorsque la décision des tribunaux nationaux concerne les propriétés d'une Puissance ou d'un particulier neutres ;
- 2°. lorsque ladite décision concerne des propriétés ennemies et qu'il s'agit :
 - a) de marchandises chargées sur un navire neutre,
 - b) d'un navire ennemi, qui aurait été capturé dans les eaux territoriales d'une Puissance neutre, dans le cas où cette Puissance n'aurait pas fait de cette capture l'objet d'une réclamation diplomatique,

tion when neutral or enemy property is involved.

ARTICLE 2.

Jurisdiction in matters of prize is exercised in the first instance by the prize courts of the belligerent captor.

The judgments of these courts are pronounced in public or are officially notified to parties concerned who are neutrals or enemies.

ARTICLE 3.

The judgments of national prize courts may be brought before the International Prize Court :

1. When the judgment of the national prize courts affects the property of a neutral power or individual ;
2. When the judgment affects enemy property and relates to —
 - (a) Cargo on board a neutral ship ;
 - (b) An enemy ship captured in the territorial waters of a neutral power, when that power has not made the capture the subject of a diplomatic claim ;

c) d'une réclamation fondée sur l'allégation que la capture aurait été effectuée en violation, soit d'une disposition conventionnelle en vigueur entre les Puissances belligérantes, soit d'une disposition légale édictée par le belligérant capteur.

(c) A claim based upon the allegation that the seizure has been effected in violation either of the provisions of a convention in force between the belligerent powers, or of an enactment issued by the belligerent captor.

Le recours contre la décision des tribunaux nationaux peut être fondé sur ce que cette décision ne serait pas justifiée, soit en fait, soit en droit.

The appeal against the judgment of the national court can be based on the ground that the judgment was wrong either in fact or in law.

ARTICLE 4.

Le recours peut être exercé :

- 1°. par une Puissance neutre, si la décision des tribunaux nationaux a porté atteinte à ses propriétés ou à celles de ses ressortissants (article 3 — 1°) ou s'il est allégué que la capture d'un navire ennemi a eu lieu dans les eaux territoriales de cette Puissance (article 3 — 2° b) ;
- 2°. par un particulier neutre, si la décision des tribunaux nationaux a porté atteinte à ses propriétés (article 3 — 1°), sous réserve toutefois du droit de la Puissance dont il relève, de lui interdire l'accès de la Cour ou d'y agir elle-même en son lieu et place ;

ARTICLE 4.

An appeal may be brought :

1. By a neutral power, if the judgment of the national tribunals injuriously affects its property or the property of its nationals (article 3, 1), or if the capture of an enemy vessel is alleged to have taken place in the territorial waters of that power (article 3, 2, b) ;
2. By a neutral individual, if the judgment of the national court injuriously affects his property (article 3, 1), subject, however, to the reservation that the power to which he belongs may forbid him to bring the case before the court, or may itself undertake the proceedings in his place ;

3°. par un particulier relevant de la Puissance ennemie, si la décision des tribunaux nationaux a porté atteinte à ses propriétés dans les conditions visées à l'article 3 — 2°, à l'exception du cas prévu par l'alinéa b.

3. By an individual subject or citizen of an enemy power, if the judgment of the national court injuriously affects his property in the cases referred to in article 3, (2), except that mentioned in paragraph b.

ARTICLE 5.

Le recours peut aussi être exercé, dans les mêmes conditions qu'à l'article précédent, par les ayants-droit, neutres ou ennemis, du particulier auquel le recours est accordé, et qui sont intervenus devant la juridiction nationale. Ces ayants-droit peuvent exercer individuellement le recours dans la mesure de leur intérêt.

Il en est de même des ayants-droit, neutres ou ennemis, de la Puissance neutre dont la propriété est en cause.

ARTICLE 5.

An appeal may also be brought on the same conditions as in the preceding article by persons belonging either to neutral states or to the enemy, deriving their rights from and entitled to represent an individual qualified to appeal, and who have taken part in the proceedings before the national court. Persons so entitled may appeal separately to the extent of their interest.

The same rule applies in the case of persons belonging either to neutral states or to the enemy who derive their rights from and are entitled to represent a neutral power whose property was the subject of the decision.

ARTICLE 6.

Lorsque, conformément à l'article 3 ci-dessus, la Cour internationale est compétente, le droit de juridiction des tribunaux nationaux ne peut être exercé à plus de deux degrés. Il appartient à la législation du belligérant capteur de dé-

ARTICLE 6.

When, in accordance with the above article 3, the International Court has jurisdiction the national courts can not deal with a case in more than two instances. The municipal law of the belligerent captor shall decide whether the

cider si le recours est ouvert après la décision rendue en premier ressort ou seulement après la décision rendue en appel ou en cassation.

Faute par les tribunaux nationaux d'avoir rendu une décision définitive dans les deux ans à compter du jour de la capture, la Cour peut être saisie directement.

ARTICLE 7.

Si la question de droit à résoudre est prévue par une Convention en vigueur entre le belligérant capteur et la Puissance qui est elle-même partie au litige ou dont le ressortissant est partie au litige, la Cour se conforme aux stipulations de ladite Convention.

A défaut de telles stipulations, la Cour applique les règles du droit international. Si des règles généralement reconnues n'existent pas, la Cour statue d'après les principes généraux de la justice et de l'équité.

Les dispositions ci-dessus sont également applicables en ce qui concerne l'ordre des preuves ainsi que les moyens qui peuvent être employés.

Si, conformément à l'article 3 — 2° c, le recours est fondé sur la violation d'une disposition légale édictée par le belligérant capteur, la Cour applique cette disposition.

La Cour peut ne pas tenir compte des déchéances de procédure

case may be brought before the International Court after judgment has been given in first instance or only after an appeal.

If the national courts fail to give final judgment within two years from the date of capture, the case may be carried direct to the International Court.

ARTICLE 7.

If a question of law to be decided is covered by a treaty in force between the belligerent captor and a power which is itself or whose subject or citizen is a party to the proceedings, the court is governed by the provisions of the said treaty.

In the absence of such provisions, the court shall apply the rules of international law. If no generally recognized rule exists, the court shall give judgment in accordance with the general principles of justice and equity.

The above provisions apply equally to questions relating to the order and mode of proof.

If, in accordance with article 3 (2) (c), the ground of appeal is the violation of an enactment issued by the belligerent captor, the court will enforce the enactment.

The court may disregard failure to comply with the procedure laid

édictees par la législation du belligérant capteur, dans les cas où elle estime que les conséquences en sont contraires à la justice et à l'équité.

ARTICLE 8.

Si la Cour prononce la validité de la capture du navire ou de la cargaison, il en sera disposé conformément aux lois du belligérant capteur.

Si la nullité de la capture est prononcée, la Cour ordonne la restitution du navire ou de la cargaison et fixe, s'il y a lieu, le montant des dommages-intérêts. Si le navire ou la cargaison ont été vendus ou détruits, la Cour détermine l'indemnité à accorder de ce chef au propriétaire.

Si la nullité de la capture avait été prononcée par la juridiction nationale, la Cour n'est appelée à statuer que sur les dommages et intérêts.

ARTICLE 9.

Les Puissances contractantes s'engagent à se soumettre de bonne foi aux décisions de la Cour internationale des prises et à les exécuter dans le plus bref délai possible.

down in the enactments of the belligerent captor when it is of opinion that the consequences of complying therewith are unjust and inequitable.

ARTICLE 8.

If the court pronounces the capture of the vessel or cargo to be valid, they shall be disposed of in accordance with the laws of the belligerent captor.

If it pronounces the capture to be null, the court shall order restitution of the vessel or cargo, and shall fix, if there is occasion, the amount of the damages. If the vessel or cargo have been sold or destroyed, the court shall determine the compensation to be given to the owner on this account.

If the national court pronounced the capture to be null, the court can only be asked to decide as to the damages.

ARTICLE 9.

The contracting powers undertake to submit in good faith to the decisions of the International Prize Court and to carry them out with the least possible delay.

TITRE II. — *Organisation de la
Cour internationale des prises.*

ARTICLE 10.

La Cour internationale des prises se compose de juges et de juges suppléants, nommés pour les Puissances contractantes et qui tous devront être des jurisconsultes d'une compétence reconnue dans les questions de droit international maritime et jouissant de la plus haute considération morale.

La nomination de ces juges et juges suppléants sera faite dans les six mois qui suivront la ratification de la présente Convention.

ARTICLE 11.

Les juges et juges suppléants sont nommés pour une période de six ans, à compter de la date où la notification de leur nomination aura été reçue par le Conseil administratif institué par la Convention pour le règlement pacifique des conflits internationaux du 29 juillet 1899. Leur mandat peut être renouvelé.

En cas de décès ou de démission d'un juge ou d'un juge suppléant, il est pourvu à son remplacement selon le mode fixé pour sa nomination. Dans ce cas, la nomination est faite pour une nouvelle période de six ans.

TITLE II. — *Constitution of the
International Prize Court.*

ARTICLE 10.

The International Prize Court is composed of judges and deputy judges, who will be appointed by the contracting powers, and must all be jurists of known proficiency in questions of international maritime law, and of the highest moral reputation.

The appointment of these judges and deputy judges shall be made within six months after the ratification of the present convention.

ARTICLE 11.

The judges and deputy judges are appointed for a period of six years, reckoned from the date on which the notification of their appointment is received by the Administrative Council established by the convention for the pacific settlement of international disputes of the 29th July, 1899. Their appointments can be renewed.

Should one of the judges or deputy judges die or resign, the same procedure is followed for filling the vacancy as was followed for appointing him. In this case, the appointment is made for a fresh period of six years.

ARTICLE 12.

Les juges de la Cour internationale des prises sont égaux entre eux et prennent rang d'après la date où la notification de leur nomination aura été reçue (article 11 alinéa 1), et, s'ils siègent à tour de rôle (article 15 alinéa 2), d'après la date de leur entrée en fonctions. La préséance appartient au plus âgé, au cas où la date est la même.

Les juges suppléants sont, dans l'exercice de leurs fonctions, assimilés aux juges titulaires. Toutefois ils prennent rang après ceux-ci.

ARTICLE 13.

Les juges jouissent des privilèges et immunités diplomatiques dans l'exercice de leurs fonctions et en dehors de leur pays.

Avant de prendre possession de leur siège, les juges doivent, devant le Conseil administratif, prêter serment ou faire une affirmation solennelle d'exercer leurs fonctions avec impartialité et en toute conscience.

ARTICLE 14.

La Cour fonctionne au nombre de quinze juges; neuf juges constituent le quorum nécessaire.

Le juge absent ou empêché est remplacé par le suppléant.

ARTICLE 12.

The judges of the International Prize Court are all equal in rank and have precedence, according to the date on which the notification of their appointment was received (article 11, paragraph 1), and if they sit by rota (article 15, paragraph 2), according to the date on which they entered upon their duties. When the date is the same the senior in age takes precedence.

The deputy judges when acting are assimilated to the judges. They rank, however, after them.

ARTICLE 13.

The judges enjoy diplomatic privileges and immunities in the performance of their duties and when outside their own country.

Before taking their seat, the judges must swear, or make a solemn promise before the Administrative Council, to discharge their duties impartially and conscientiously.

ARTICLE 14.

The court is composed of fifteen judges; nine judges constitute a quorum.

A judge who is absent or prevented from sitting is replaced by the deputy judge.

ARTICLE 15.

Les juges nommés par les Puissances contractantes dont les noms suivent: l'Allemagne, les Etats-Unis d'Amérique, l'Autriche-Hongrie, la France, la Grande-Bretagne, l'Italie, le Japon et la Russie sont toujours appelés à siéger.

Les juges et les juges suppléants nommés par les autres Puissances contractantes siègent à tour de rôle d'après le tableau annexé à la présente Convention; leurs fonctions peuvent être exercées successivement par la même personne. Le même juge peut être nommé par plusieurs desdites Puissances.

ARTICLE 16.

Si une Puissance belligérante n'a pas, d'après le tour de rôle, un juge siégeant dans la Cour, elle peut demander que le juge nommé par elle prenne part au jugement de toutes les affaires provenant de la guerre. Dans ce cas, le sort détermine lequel des juges siégeant en vertu du tour de rôle doit s'abstenir. Cette exclusion ne saurait s'appliquer au juge nommé par l'autre belligérant.

ARTICLE 17.

Ne peut siéger le juge qui, à un titre quelconque, aura concouru à la décision des tribunaux nationaux ou aura figuré dans l'in-

ARTICLE 15.

The judges appointed by the following contracting powers: Germany, the United States of America, Austria-Hungary, France, Great Britain, Italy, Japan, and Russia, are always summoned to sit.

The judges and deputy judges appointed by the other contracting powers sit by rota as shown in the table annexed to the present convention; their duties may be performed successively by the same person. The same judge may be appointed by several of the said powers.

ARTICLE 16.

If a belligerent power has, according to the rota, no judge sitting in the court, it may ask that the judge appointed by it should take part in the settlement of all cases arising from the war. Lots shall then be drawn as to which of the judges entitled to sit according to the rota shall withdraw. This arrangement does not affect the judge appointed by the other belligerent.

ARTICLE 17.

No judge can sit who has been a party, in any way whatever, to the sentence pronounced by the national courts, or has taken part

stance comme conseil ou avocat d'une partie.

Aucun juge, titulaire ou suppléant, ne peut intervenir comme agent ou comme avocat devant la Cour internationale des prises ni y agir pour une partie en quelque qualité que ce soit, pendant toute la durée de ses fonctions.

ARTICLE 18.

Le belligérant capteur a le droit de désigner un officier de marine d'un grade élevé qui siègera en qualité d'assesseur avec voix consultative. La même faculté appartient à la Puissance neutre, qui est elle-même partie au litige, ou à la Puissance dont le ressortissant est partie au litige; s'il y a, par application de cette dernière disposition, plusieurs Puissances intéressées, elles doivent se concerter, au besoin par le sort, sur l'officier à désigner.

ARTICLE 19.

La Cour élit son Président et son Vice-Président à la majorité absolue des suffrages exprimés. Après deux tours de scrutin, l'élection se fait à la majorité relative et, en cas de partage des voix, le sort décide.

ARTICLE 20.

Les juges de la Cour internationale des prises touchent une indemnité de voyage fixée d'après les

in the case as counsel or advocate for one of the parties.

No judge or deputy judge can, during his tenure of office, appear as agent or advocate before the International Prize Court, nor act for one of the parties in any capacity whatever.

ARTICLE 18.

The belligerent captor is entitled to appoint a naval officer of high rank to sit as assessor, but with no voice in the decision. A neutral power, which is a party to the proceedings or whose subject or citizen is a party, has the same right of appointment; if as the result of this last provision more than one power is concerned, they must agree among themselves, if necessary by lot, on the officer to be appointed.

ARTICLE 19.

The court elects its President and Vice-President by an absolute majority of the votes cast. After two ballots, the election is made by a bare majority, and, in case the votes are equal, by lot.

ARTICLE 20.

The judges on the International Prize Court are entitled to traveling allowances in accordance with

règlements de leur pays et reçoivent, en outre, pendant la session ou pendant l'exercice de fonctions conférées par la Cour, une somme de cent florins néerlandais par jour.

Ces allocations, comprises dans les frais généraux de la Cour prévus par l'article 47, sont versées par l'entremise du Bureau international institué par la Convention du 29 juillet 1899.

Les juges ne peuvent recevoir de leur propre Gouvernement ou de celui d'une autre Puissance aucune rémunération comme membres de la Cour.

ARTICLE 21.

La Cour internationale des prises a son siège à La Haye et ne peut, sauf le cas de force majeure, le transporter ailleurs qu'avec l'assentiment des parties belligérantes.

ARTICLE 22.

Le Conseil administratif, dans lequel ne figurent que les représentants des Puissances contractantes, remplit, à l'égard de la Cour internationale des prises, les fonctions qu'il remplit à l'égard de la Cour permanente d'arbitrage.

ARTICLE 23.

Le Bureau international sert de greffe à la Cour internationale des

the regulations in force in their own country, and in addition receive, while the court is sitting or while they are carrying out duties conferred upon them by the court, a sum of 100 Netherland florins per diem.

These payments are included in the general expenses of the court dealt with in article 47, and are paid through the International Bureau established by the convention of the 29th July, 1899.

The judges may not receive from their own government or from that of any other power any remuneration in their capacity of members of the court.

ARTICLE 21.

The seat of the International Prize Court is at The Hague, and it can not, except in the case of *force majeure*, be transferred elsewhere without the consent of the belligerents.

ARTICLE 22.

The Administrative Council fulfills, with regard to the International Prize Court, the same functions as to the Permanent Court of Arbitration, but only representatives of contracting powers will be members of it.

ARTICLE 23.

The International Bureau acts as registry to the International

prises et doit mettre ses locaux et son organisation à la disposition de la Cour. Il a la garde des archives et la gestion des affaires administratives.

Le secrétaire général du Bureau international remplit les fonctions de greffier.

Les secrétaires adjoints au greffier, les traducteurs et les sténographes nécessaires sont désignés et assermentés par la Cour.

ARTICLE 24.

La Cour décide du choix de la langue dont elle fera usage et des langues dont l'emploi sera autorisé devant elle.

Dans tous les cas, la langue officielle des tribunaux nationaux, qui ont connu de l'affaire, peut être employée devant la Cour.

ARTICLE 25.

Les Puissances intéressées ont le droit de nommer des agents spéciaux ayant mission de servir d'intermédiaires entre Elles et la Cour. Elles sont, en outre, autorisées à charger des conseils ou avocats de la défense de leurs droits et intérêts.

ARTICLE 26.

Le particulier intéressé sera représenté devant la Cour par un mandataire qui doit être soit un avocat autorisé à plaider devant une Cour

Prize Court and must place its offices and staff at the disposal of the court. It has charge of the archives and carries out the administrative work.

The Secretary-General of the International Bureau acts as Registrar.

The necessary secretaries to assist the Registrar, translators, and shorthand writers are appointed and sworn in by the court.

ARTICLE 24.

The court determines which language it will itself use and what languages may be used before it.

In every case the official language of the national courts which have had cognizance of the case may be used before the court.

ARTICLE 25.

Powers which are concerned in a case may appoint special agents to act as intermediaries between themselves and the court. They may also engage counsel or advocates to defend their rights and interests.

ARTICLE 26.

A private person concerned in a case will be represented before the court by an attorney, who must be either an advocate qualified to

d'appel ou une Cour suprême de l'un des Pays contractants, soit un avoué exerçant sa profession auprès d'une telle Cour, soit enfin un professeur de droit à une école d'enseignement supérieur d'un de ces pays.

plead before a court of appeal or a high court of one of the contracting states, or a lawyer practicing before a similar court, or, lastly, a professor of law at one of the institutions of higher learning of those countries.

ARTICLE 27.

Pour toutes les notifications à faire, notamment aux parties, aux témoins et aux experts, la Cour peut s'adresser directement au Gouvernement de la Puissance sur le territoire de laquelle la notification doit être effectuée. Il en est de même s'il s'agit de faire procéder à l'établissement de tout moyen de preuve.

Les requêtes adressées à cet effet seront exécutées suivant les moyens dont la Puissance requise dispose d'après sa législation intérieure. Elles ne peuvent être refusées que si cette Puissance les juge de nature à porter atteinte à sa souveraineté ou à sa sécurité. S'il est donné suite à la requête, les frais ne comprennent que les dépenses d'exécution réellement effectuées.

La Cour a également la faculté de recourir à l'intermédiaire de la Puissance sur le territoire de laquelle elle a son siège.

Les notifications à faire aux parties dans le lieu où siège la Cour peuvent être exécutées par le Bureau international.

ARTICLE 27.

For all notices to be served, in particular on the parties, witnesses, or experts, the court may apply direct to the government of the state on whose territory the service is to be carried out. The same rule applies in the case of steps being taken to procure evidence.

The requests for this purpose are to be executed so far as the means at the disposal of the power applied to under its municipal law allow. They can not be rejected unless the power in question considers them calculated to impair its sovereign rights or its safety. If the request is complied with, the fees charged must only comprise the expenses actually incurred.

The court is equally entitled to act through the power on whose territory it sits.

Notices to be given to parties in the place where the court sits may be served through the International Bureau.

TITRE III. — *Procédure devant la Cour internationale des prises.*

ARTICLE 28.

Le recours devant la Cour internationale des prises est formé au moyen d'une déclaration écrite, faite devant le tribunal national qui a statué, ou adressée au Bureau international; celui-ci peut être saisi même par télégramme.

Le délai du recours est fixé à cent vingt jours à dater du jour où la décision a été prononcée ou notifiée (article 2 alinéa 2).

ARTICLE 29.

Si la déclaration de recours est faite devant le tribunal national, celui-ci, sans examiner si le délai a été observé, fait, dans les sept jours qui suivent, expédier le dossier de l'affaire au Bureau international.

Si la déclaration de recours est adressée au Bureau international, celui-ci en prévient directement le tribunal national, par télégramme s'il est possible. Le tribunal transmettra le dossier comme il est dit à l'alinéa précédent.

Lorsque le recours est formé par un particulier neutre, le Bureau international en avise immédiatement par télégramme la Puissance

TITLE III. — *Procedure in the International Prize Court.*

ARTICLE 28.

An appeal to the International Prize Court is entered by means of a written declaration made in the national court which has already dealt with the case or addressed to the International Bureau; in the latter case the appeal can be entered by telegram.

The period within which the appeal must be entered is fixed at one hundred and twenty days, counting from the day the decision is delivered or notified (article 2, paragraph 2).

ARTICLE 29.

If the notice of appeal is entered in the national court, this court, without considering the question whether the appeal was entered in due time, will transmit within seven days the record of the case to the International Bureau.

If the notice of appeal is sent to the International Bureau, the Bureau will immediately inform the national court, when possible, by telegraph. The latter will transmit the record as provided in the preceding paragraph.

When the appeal is brought by a neutral individual the International Bureau at once informs by telegraph the individual's govern-

dont relève le particulier, pour permettre à cette Puissance de faire valoir le droit que lui reconnaît l'article 4—2°.

ARTICLE 30.

Dans le cas prévu à l'article 6 alinéa 2, le recours ne peut être adressé qu'au Bureau international. Il doit être introduit dans les trente jours qui suivent l'expiration du délai de deux ans.

ARTICLE 31.

Faute d'avoir formé son recours dans le délai fixé à l'article 28 ou à l'article 30, la partie sera, sans débats, déclarée non recevable.

Toutefois, si elle justifie d'un empêchement de force majeure et si elle a formé son recours dans les soixante jours qui ont suivi la cessation de cet empêchement, elle peut être relevée de la déchéance encourue, la partie adverse ayant été dûment entendue.

ARTICLE 32.

Si le recours a été formé en temps utile, la Cour notifie d'office et sans délai à la partie adverse une copie certifiée conforme de la déclaration.

ment, in order to enable it to enforce the rights it enjoys under article 4, paragraph 2.

ARTICLE 30.

In the case provided for in article 6, paragraph 2, the notice of appeal can be addressed to the International Bureau only. It must be entered within thirty days of the expiration of the period of two years.

ARTICLE 31.

If the appellant does not enter his appeal within the period laid down in articles 28 or 30, it shall be rejected without discussion.

Provided that he can show that he was prevented from so doing by *force majeure*, and that the appeal was entered within sixty days after the circumstances which prevented him entering it before had ceased to operate, the court can, after hearing the respondent, grant relief from the effect of the above provision.

ARTICLE 32.

If the appeal is entered in time, a certified copy of the notice of appeal is forthwith officially transmitted by the court to the respondent.

ARTICLE 33.

Si, en dehors des parties qui se sont pourvues devant la Cour, il y a d'autres intéressés ayant le droit d'exercer le recours, ou si, dans le cas prévu à l'article 29 alinéa 3, la Puissance qui a été avisée, n'a pas fait connaître sa résolution, la Cour attend, pour se saisir de l'affaire, que les délais prévus à l'article 28 ou à l'article 30 soient expirés.

ARTICLE 34.

La procédure devant la Cour internationale comprend deux phases distinctes: l'instruction écrite et les débats oraux.

L'instruction écrite consiste dans le dépôt et l'échange d'exposés, de contre-exposés et, au besoin, de répliques dont l'ordre et les délais sont fixés par la Cour. Les parties y joignent toutes pièces et documents dont elles comptent se servir.

Toute pièce, produite par une partie, doit être communiquée en copie certifiée conforme à l'autre partie par l'intermédiaire de la Cour.

ARTICLE 35.

L'instruction écrite étant terminée, il y a lieu à une audience publique, dont le jour est fixé par la Cour.

ARTICLE 33.

If, in addition to the parties who are before the court, there are other parties concerned who are entitled to appeal, or if, in the case referred to in article 29, paragraph 3, the government who has received notice of an appeal has not announced its decision, the court will await before dealing with the case the expiration of the period laid down in articles 28 or 30.

ARTICLE 34.

The procedure before the International Court includes two distinct parts: the written pleadings and oral discussions.

The written pleadings consist of the deposit and exchange of cases, counter-cases, and, if necessary, of replies, of which the order is fixed by the court, as also the periods within which they must be delivered. The parties annex thereto all papers and documents of which they intend to make use.

A certified copy of every document procured by one party must be communicated to the other party through the medium of the court.

ARTICLE 35.

After the close of the pleadings, a public sitting is held on a day fixed by the court.

Dans cette audience, les parties exposent l'état de l'affaire en fait et en droit.

La Cour peut, en tout état de cause, suspendre les plaidoiries, soit à la demande d'une des parties, soit d'office, pour procéder à une information complémentaire.

ARTICLE 36.

La Cour internationale peut ordonner que l'information complémentaire aura lieu, soit conformément aux dispositions de l'article 27, soit directement devant elle ou devant un ou plusieurs de ses membres en tant que cela peut se faire sans moyen coercitif ou comminatoire.

Si des mesures d'information doivent être prises par des membres de la Cour en dehors du territoire où elle a son siège, l'assentiment du Gouvernement étranger doit être obtenu.

ARTICLE 37.

Les parties sont appelées à assister à toutes mesures d'instruction. Elles reçoivent une copie certifiée conforme des procès-verbaux.

ARTICLE 38.

Les débats sont dirigés par le Président ou le Vice-Président et, en cas d'absence ou d'empêchement de l'un et de l'autre, par le plus ancien des juges présents.

At this sitting the parties state their view of the case both as to the law and as to the facts.

The court may, at any stage of the proceedings, suspend speeches of counsel, either at the request of one of the parties, or on their own initiative, in order that supplementary evidence may be obtained.

ARTICLE 36.

The International Court may order the supplementary evidence to be taken either in the manner provided by article 27, or before itself, or one or more of the members of the court, provided that this can be done without resort to compulsion or the use of threats.

If steps are to be taken for the purpose of obtaining evidence by members of the court outside the territory where it is sitting, the consent of the foreign government must be obtained.

ARTICLE 37.

The parties are summoned to take part in all stages of the proceedings and receive certified copies of the minutes.

ARTICLE 38.

The discussions are under the control of the President or Vice-President, or, in case they are absent or can not act, of the senior judge present.

Le juge nommé par une partie belligérante ne peut siéger comme Président.

The judge appointed by a belligerent party can not preside.

ARTICLE 39.

Les débats sont public sauf le droit pour une Puissance en litige de demander qu'il y soit procédé à huis clos.

Ils sont consignés dans des procès-verbaux, que signent le Président et le greffier et qui seuls ont caractère authentique.

ARTICLE 39.

The discussions take place in public, subject to the right of a government who is a party to the case to demand that they be held in private.

Minutes are taken of these discussions and signed by the President and Registrar, and these minutes alone have an authentic character.

ARTICLE 40.

En cas de non comparution d'une des parties, bien qu'elle régulièrement citée, ou faute par elle d'agir dans les délais fixés par la Cour, il est procédé sans elle et la Cour décide d'après les éléments d'appréciation qu'elle a à sa disposition.

ARTICLE 40.

If a party does not appear, despite the fact that he has been duly cited, or if a party fails to comply with some step within the period fixed by the court, the case proceeds without that party, and the court gives judgment in accordance with the material at its disposal.

ARTICLE 41.

La Cour notifie d'office aux parties toutes décisions ou ordonnances prises en leur absence.

ARTICLE 41.

The court officially notifies to the parties decrees or decisions made in their absence.

ARTICLE 42.

La Cour apprécie librement l'ensemble des actes, preuves et déclarations orales.

ARTICLE 42.

The court takes into consideration in arriving at its decision all the facts, evidence, and oral statements.

ARTICLE 43.

Les délibérations de la Cour ont lieu à huis clos et restent secrètes.

Toute décision est prise à la majorité des juges présents. Si la Cour siège en nombre pair et qu'il y ait partage des voix, la voix du dernier des juges dans l'ordre de préséance établi d'après l'article 12 alinéa 1 n'est pas comptée.

ARTICLE 43.

The court considers its decision in private and the proceedings are secret.

All questions are decided by a majority of the judges present. If the number of judges is even and equally divided, the vote of the junior judge in the order of precedence laid down in article 12, paragraph 1, is not counted.

ARTICLE 44.

L'arrêt de la Cour doit être motivé. Il mentionne les noms des juges qui y ont participé, ainsi que les noms des assesseurs, s'il y a lieu; il est signé par le Président et par le greffier.

ARTICLE 44.

The judgment of the court must give the reasons on which it is based. It contains the names of the judges taking part in it, and also of the assessors, if any; it is signed by the President and Registrar.

ARTICLE 45.

L'arrêt est prononcé en séance publique, les parties présente ou dûment appelées; il est notifié d'office aux parties.

Cette notification une fois faite, la Cour fait parvenir au tribunal national des prises le dossier de l'affaire en y joignant une expédition des diverses décisions intervenues ainsi qu'une copie des procès-verbaux de l'instruction.

ARTICLE 45.

The sentence is pronounced in public sitting, the parties concerned being present or duly summoned to attend; the sentence is officially communicated to the parties.

When this communication has been made, the court transmits to the national prize court the record of the case, together with copies of the various decisions arrived at and of the minutes of the proceedings.

ARTICLE 46.

Chaque partie supporte les frais occasionnés par sa propre défense.

La partie qui succombe supporte, en outre, les frais causés par la procédure. Elle doit, de plus, verser un centième de la valeur de l'objet litigieux à titre de contribution aux frais généraux de la Cour internationale. Le montant de ces versements est déterminé par l'arrêt de la Cour.

Si le recours est exercé par un particulier, celui-ci fournit au Bureau international un cautionnement dont le montant est fixé par la Cour et qui est destiné à garantir l'exécution éventuelle des deux obligations mentionnées dans l'alinéa précédent. La Cour peut subordonner l'ouverture de la procédure au versement du cautionnement.

ARTICLE 47.

Les frais généraux de la Cour internationale des prises sont supportés par les Puissances contractantes dans la proportion de leur participation au fonctionnement de la Cour telle qu'elle est prévue par l'article 15 et par le tableau y annexé. La désignation des juges suppléants ne donne pas lieu à contribution.

Le Conseil administratif s'adresse aux Puissances pour obtenir les fonds nécessaires au fonctionnement de la Cour.

ARTICLE 46.

Each party pays its own costs.

The party against whom the court decides bears, in addition, the costs of the trial, and also pays 1 per cent of the value of the subject-matter of the case as a contribution to the general expenses of the International Court. The amount of these payments is fixed in the judgment of the court.

If the appeal is brought by an individual, he will furnish the International Bureau with security to an amount fixed by the court, for the purpose of guaranteeing eventual fulfilment of the two obligations mentioned in the preceding paragraph. The court is entitled to postpone the opening of the proceedings until the security has been furnished.

ARTICLE 47.

The general expenses of the International Prize Court are borne by the contracting powers in proportion to their share in the composition of the court as laid down in article 15 and in the annexed table. The appointment of deputy judges does not involve any contribution.

The Administrative Council applies to the powers for the funds requisite for the working of the court.

ARTICLE 48.

Quand la Cour n'est pas en session, les fonctions qui lui sont conférées par l'article 32, l'article 34 alinéas 2 et 3, l'article 35 alinéa 1 et l'article 46 alinéa 3, sont exercées par une Délégation de trois juges désignés par la Cour. Cette Délégation décide à la majorité des voix.

ARTICLE 49.

La Cour fait elle-même son règlement d'ordre intérieur qui doit être communiqué aux Puissances contractantes.

Dans l'année de la ratification de la présente Convention, elle se réunira pour élaborer ce règlement.

ARTICLE 50.

La Cour peut proposer des modifications à apporter aux dispositions de la présente Convention qui concernent la procédure. Ces propositions sont communiquées, par l'intermédiaire du Gouvernement des Pays-Bas, aux Puissances contractantes qui se concerteront sur la suite à y donner.

TITRE IV. — *Dispositions finales.*

ARTICLE 51.

La présente Convention ne s'applique de plein droit que si les Puissances belligérants sont toutes parties à la Convention.

ARTICLE 48.

When the court is not sitting, the duties conferred upon it by article 32, article 34, paragraphs 2 and 3, article 35, paragraph 1, and article 46, paragraph 3, are discharged by a delegation of three judges appointed by the court. This delegation decides by a majority of votes.

ARTICLE 49.

The court itself draws up its own rules of procedure, which must be communicated to the contracting powers.

It will meet to elaborate these rules within a year of the ratification of the present convention.

ARTICLE 50.

The court may propose modifications in the provisions of the present convention concerning procedure. These proposals are communicated, through the medium of the Netherlands Government, to the contracting powers, which will consider together as to the measures to be taken.

TITLE IV. — *Final provisions.*

ARTICLE 51.

The present convention does not apply as of right except when the belligerent powers are all parties to the convention.

Il est entendu, en outre, que le recours devant la Cour internationale des prises ne peut être exercé que par une Puissance contractante ou le ressortissant d'une Puissance contractante.

Dans les cas de l'article 5, le recours n'est admis que si le propriétaire et l'ayant-droit sont également des Puissances contractantes ou des ressortissants de Puissances contractantes.

ARTICLE 52.

La présente Convention sera ratifiée et les ratifications en seront déposées à La Haye dès que toutes les Puissances désignées à l'article 15 et dans son annexe seront en mesure de le faire.

Le dépôt des ratifications aura lieu en tout cas, le 30 juin 1909, si les Puissances prêtes à ratifier peuvent fournir à la Cour neuf juges et neuf juges suppléants, aptes à siéger effectivement. Dans le cas contraire, le dépôt sera ajourné jusqu'au moment où cette condition sera remplie.

Il sera dressé du dépôt des ratifications un procès-verbal dont une copie, certifiée conforme, sera remise par la voie diplomatique à chacune des Puissances désignées à alinéa premier.

ARTICLE 53.

Les Puissances désignées à l'article 15 et dans son annexe sont

It is further fully understood that an appeal to the International Prize Court can only be brought by a contracting power, or the subject or citizen of a contracting power.

In the cases mentioned in article 5, the appeal is only admitted when both the owner and the person entitled to represent him are equally contracting powers or the subjects or citizens of contracting powers.

ARTICLE 52.

The present convention shall be ratified and the ratifications shall be deposited at The Hague as soon as all the powers mentioned in article 15 and in the table annexed are in a position to do so.

The deposit of the ratifications shall take place, in any case, on the 30th June, 1909, if the powers which are ready to ratify furnish nine judges and nine deputy judges to the court, qualified to validly constitute a court. If not, the deposit shall be postponed until this condition is fulfilled.

A minute of the deposit of ratifications shall be drawn up, of which a certified copy shall be forwarded, through the diplomatic channel, to each of the powers referred to in the first paragraph.

ARTICLE 53.

The powers referred to in article 15 and in the table annexed are

admises à signer la présente Convention jusqu'au dépôt des ratifications prévu par l'alinéa 2 de l'article précédent.

Après ce dépôt, elles seront toujours admises à y adhérer, purement et simplement. La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant, en même temps, l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement. Celui-ci enverra, par la voie diplomatique, une copie certifiée conforme de la notification et de l'acte d'adhésion à toutes les Puissances désignées à l'alinéa précédent, en leur faisant savoir la date où il a reçu la notification.

ARTICLE 54.

La présente Convention entrera en vigueur six mois à partir du dépôt des ratifications prévu par l'article 52 alinéas 1 et 2.

Les adhésions produiront effet soixante jours après que la notification en aura été reçue par le Gouvernement des Pays-Bas et, au plus tôt, à l'expiration du délai prévu par l'alinéa précédent.

Toutefois, la Cour internationale aura qualité pour juger les affaires de prises décidées par la juridiction nationale à partir du dépôt

entitled to sign the present convention up to the deposit of the ratifications contemplated in paragraph 2 of the preceding article.

After this deposit, they can at any time adhere to it, purely and simply. A power wishing to adhere notifies its intention in writing to the Netherlands Government, transmitting to it, at the same time, the act of adhesion, which shall be deposited in the archives of the said Government. The latter shall send, through the diplomatic channel, a certified copy of the notification and of the act of adhesion to all the powers referred to in the preceding paragraph, informing them of the date on which it has received the notification.

ARTICLE 54.

The present convention shall come into force six months from the deposit of the ratifications contemplated in article 52, paragraphs 1 and 2.

The adhesions shall take effect sixty days after notification of such adhesion has been received by the Netherlands Government, or as soon as possible on the expiration of the period contemplated in the preceding paragraph.

The International Court shall, however, have jurisdiction to deal with prize cases decided by the national courts at any time after

des ratifications ou de la réception de la notification des adhésions. Pour ces décisions, le délai fixé à l'article 28 alinéa 2, ne sera compté que de la date de la mise en vigueur de la Convention pour les Puissances ayant ratifié ou adhéré.

ARTICLE 55.

La présente Convention aura une durée de douze ans à partir de sa mise en vigueur, telle qu'elle est déterminée par l'article 54 alinéa 1, même pour les Puissances ayant adhéré postérieurement.

Elle sera renouvelée tacitement de six ans en six ans sauf dénonciation.

La dénonciation devra être, au moins un an avant l'expiration de chacune des périodes prévues par les deux alinéas précédents, notifiée par écrit au Gouvernement des Pays-Bas qui en donnera connaissance à toutes les autres Parties contractantes.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée. La Convention subsistera pour les autres Puissances contractantes, pourvu que leur participation à la désignation des juges soit suffisante pour permettre le fonctionnement de la Cour avec neuf juges et neuf juges suppléants.

the deposit of the ratifications or of the receipt of the notification of the adhesions. In such cases, the period fixed in article 28, paragraph 2, shall only be reckoned from the date when the convention comes into force as regards a power which has ratified or adhered.

ARTICLE 55.

The present convention shall remain in force for twelve years from the time it comes into force, as determined by article 54, paragraph 1, even in the case of powers which adhere subsequently.

It shall be renewed tacitly from six years to six years unless denounced.

Denunciation must be notified in writing, at least one year before the expiration of each of the periods mentioned in the two preceding paragraphs, to the Netherlands Government, which will inform all the other contracting powers.

Denunciation shall only take effect in regard to the power which has notified it. The convention shall remain in force in the case of the other contracting powers, provided that their participation in the appointment of judges is sufficient to allow of the composition of the court with nine judges and nine deputy judges.

ARTICLE 56.

Dans le cas où la présente Convention n'est pas en vigueur pour toutes les Puissances désignées dans l'article 15 et le tableau qui s'y rattache, le Conseil administratif dresse, conformément aux dispositions de cet article et de ce tableau, la liste des juges et des juges suppléants pour lesquels les Puissances contractantes participent au fonctionnement de la Cour. Les juges appelés à siéger à tour de rôle seront, pour le temps qui leur est attribué par le tableau susmentionné, répartis entre les différentes années de la période de six ans, de manière que, dans la mesure du possible, la Cour fonctionne chaque année en nombre égal. Si le nombre des juges suppléants dépasse celui des juges, le nombre de ces derniers pourra être complété par des juges suppléants désignés par le sort parmi celles des Puissances qui ne nomment pas de juge titulaire.

La liste ainsi dressée par le Conseil administratif sera notifiée aux Puissances contractantes. Elle sera révisée quand le nombre de celles-ci sera modifié par suite d'adhésions ou de dénonciations.

Le changement à opérer par suite d'une adhésion ne se produira qu'à partir du 1^{er} janvier qui suit la date à laquelle l'adhésion a son effet, à moins que la Puissance

ARTICLE 56.

In case the present convention is not in operation as regards all the powers referred to in article 15 and the annexed table, the Administrative Council shall draw up a list on the lines of that article and table of the judges and deputy judges through whom the contracting powers will share in the composition of the court. The times allotted by the said table to judges who are summoned to sit in rota will be redistributed between the different years of the six-year period in such a way that, as far as possible, the number of the judges of the court in each year shall be the same. If the number of deputy judges is greater than that of the judges, the number of the latter can be completed by deputy judges chosen by lot among those powers which do not nominate a judge.

The list drawn up in this way by the Administrative Council shall be notified to the contracting powers. It shall be revised when the number of these powers is modified as the result of adhesions or denunciations.

The change resulting from an adhesion is not made until the 1st of January after the date on which the adhesion takes effect, unless the adhering power is a belligerent

adhérente ne soit une Puissance belligérante, cas auquel elle peut demander d'être aussitôt représentée dans la Cour, la disposition de l'article 16 étant du reste applicable, s'il y a lieu.

Quand le nombre total des juges est inférieur à onze, sept juges constituent le quorum nécessaire.

ARTICLE 57.

Deux ans avant l'expiration de chaque période visée par les alinéas 1 et 2 de l'article 55, chaque Puissance contractante pourra demander une modification des dispositions de l'article 15 et du tableau y annexé, relativement à sa participation au fonctionnement de la Cour. La demande sera adressée au Conseil administratif qui l'examinera et soumettra à toutes les Puissances des propositions sur la suite à y donner. Les Puissances feront, dans le plus bref délai possible, connaître leur résolution au Conseil administratif. Le résultat sera immédiatement, et au moins un an et trente jours avant l'expiration dudit délai de deux ans, communiqué à la Puissance qui a fait la demande.

Les cas échéant, les modifications adoptées par les Puissances entreront en vigueur dès le commencement de la nouvelle période.

En foi de quoi les Plénipotentiaires ont revêtu la présente convention de leurs signatures.

power, in which case it can ask to be at once represented in the court, the provision of article 16 being, moreover, applicable if necessary.

When the total number of judges is less than eleven, seven judges form a quorum.

ARTICLE 57.

Two years before the expiration of each period referred to in paragraphs 1 and 2 of article 55 any contracting power can demand a modification of the provisions of article 15 and of the annexed table, relative to its participation in the composition of the court. The demand shall be addressed to the Administrative Council, which will examine it and submit to all the powers proposals as to the measures to be adopted. The powers shall inform the Administrative Council of their decision with the least possible delay. The result shall be at once, and at least one year and thirty days before the expiration of the said period of two years, communicated to the power which made the demand.

When necessary, the modifications adopted by the powers shall come into force from the commencement of the new period.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances désignées à l'article 15 et dans son annexe.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers designated in article 15 and in the table annexed.

ANNEXE DE L'ARTICLE 15.

Distribution des juges et juges suppléants par pays pour chaque année de la période de six ans.

Juges.	Juges suppléants.
<i>Ière année.</i>	
1 Argentine	Paraguay
2 Colombie	Bolivia
3 Espagne	Espagne
4 Grèce	Roumanie
5 Norvège	Suède
6 Pays-Bas	Belgique
7 Turquie	Persie
<i>IIème année.</i>	
1 Argentine	Panama
2 Espagne	Espagne
3 Grèce	Roumanie
4 Norvège	Suède
5 Pays-Bas	Belgique
6 Turquie	Luxembourg
7 Uruguay	Costa Rica
<i>IIIème année.</i>	
1 Brésil	Dominicaine
2 Chine	Turquie
3 Espagne	Portugal
4 Pays-Bas	Suisse
5 Roumanie	Grèce
6 Suède	Danemark
7 Vénézuéla	Haïti

ANNEX TO ARTICLE 15.

Distribution of judges and deputy judges by countries for each year of the period of six years.

Judges.	Deputy judges.
<i>First year.</i>	
1 Argentina	Paraguay
2 Colombia	Bolivia
3 Spain	Spain
4 Greece	Roumania
5 Norway	Sweden
6 Netherlands	Belgium
7 Turkey	Persia
<i>Second year.</i>	
1 Argentina	Panama
2 Spain	Spain
3 Greece	Roumania
4 Norway	Sweden
5 Netherlands	Belgium
6 Turkey	Luxemburg
7 Uruguay	Costa Rica
<i>Third year.</i>	
1 Brazil	Santo Domingo
2 China	Turkey
3 Spain	Portugal
4 Netherlands	Switzerland
5 Roumania	Greece.
6 Sweden	Denmark.
7 Venezuela	Haïti

Juges.	Juges suppléants.	Judges.	Deputy judges.
<i>IVième année.</i>		<i>Fourth year.</i>	
1 Brésil	Guatemala	1 Brazil	Guatemala
2 Chine	Turquie	2 China	Turkey
3 Espagne	Portugal	3 Spain	Portugal
4 Pérou	Honduras	4 Peru	Honduras
5 Roumanie	Grèce	5 Roumania	Greece
6 Suède	Danemark	6 Sweden	Denmark
7 Suisse	Pays-Bas	7 Switzerland	Netherlands
<i>Vième année.</i>		<i>Fifth year.</i>	
1 Belgique	Pays-Bas	1 Belgium	Netherlands
2 Bulgarie	Monténégro	2 Bulgaria	Montenegro
3 Chili	Nicaragua	3 Chile	Nicaragua
4 Danemark	Norvège	4 Denmark	Norway
5 Mexique	Cuba	5 Mexico	Cuba
6 Perse	Chine	6 Persia	China
7 Portugal	Espagne	7 Portugal	Spain
<i>VIIème année.</i>		<i>Sixth year.</i>	
1 Belgique	Pays-Bas	1 Belgium	Netherlands
2 Chili	Salvador	2 Chile	Salvador
3 Danemark	Norvège	3 Denmark	Norway
4 Mexique	Equateur	4 Mexico	Ecuador
5 Portugal	Espagne	5 Portugal	Spain
6 Serbie	Bulgarie	6 Servia	Bulgaria
7 Siam	Chine	7 Siam	China

[TRANSLATION.]

*Convention concernant les droits
et les devoirs des Puissances
neutres en cas de guerre mari-
time.*

Sa Majesté l'Empereur d'Alle-
magne, Roi de Prusse; etc.:

En vue de diminuer les diver-
gences d'opinion qui, en cas de
guerre maritime, existent encore au

*Convention Respecting the Rights
and Duties of Neutral Powers
in Naval War.*

His Majesty the Emperor of
Germany, King of Prussia; etc.:

With a view to harmonizing the
divergent views which, in the event
of naval war, are still held on the

sujet des rapports entre les Puissances neutres et les Puissances belligérantes, et de prévenir les difficultés auxquelles ces divergences pourraient donner lieu ;

Considérant que, si l'on ne peut concerter dès maintenant des stipulations s'étendant à toutes les circonstances qui peuvent se présenter dans la pratique, il y a néanmoins une utilité incontestable à établir, dans la mesure du possible, des règles communes pour le cas où malheureusement la guerre viendrait à éclater ;

Considérant que, pour les cas non prévus par la présente Convention, il y a lieu de tenir compte des principes généraux du droit des gens ;

Considérant qu'il est désirable que les Puissances édictent des prescriptions précises pour régler les conséquences de l'état de neutralité qu'elles auraient adopté ;

Considérant que c'est, pour les Puissances neutres, un devoir reconnu d'appliquer impartialement aux divers belligérants les règles adoptées par elles ;

Considérant que, dans cet ordre d'idées, ces règles ne devraient pas, en principe, être changées au cours de la guerre, par une Puissance neutre, sauf dans le cas où l'expérience acquise en démontrerait la nécessité pour la sauvegarde de ses droits ;

Sont convenus d'observer les

relations between neutral powers and belligerent powers, and to anticipating the difficulties to which such divergence of views might give rise ;

Seeing that, even if it is not possible at present to concert measures applicable to all circumstances which may in practice occur, it is nevertheless undeniably advantageous to frame, as far as possible, rules of general application to meet the case where war has unfortunately broken out ;

Seeing that, in cases not covered by the present convention, it is expedient to take into consideration the general principles of the law of nations ;

Seeing that it is desirable that the powers should issue detailed enactments to regulate the consequences of the state of neutrality when adopted by them ;

Seeing that it is, for neutral powers, an admitted duty to apply the rules adopted by them impartially to the several belligerents ;

Seeing that, in this connection, these rules should not, in principle, be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change to protect the rights of that power ;

Have agreed to observe the fol-

règles communes suivantes qui ne sauraient, d'ailleurs, porter aucune atteinte aux stipulations des traités généraux existants, et ont nommé pour Leurs Plénipotentiaires, savoir :

[Désignation des Plénipotentiaires.]

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE PREMIER.

Les belligérants sont tenus de respecter les droits souverains des Puissances neutres et de s'abstenir, dans le territoire ou les eaux neutres, de tous actes qui constitueraient de la part des Puissances qui les toléreraient un manquement à leur neutralité.

ARTICLE 2.

Tous actes d'hostilité, y compris la capture et l'exercice du droit de visite, commis par des vaisseaux de guerre belligérants dans les eaux territoriales d'une Puissance neutre, constituent une violation de la neutralité et sont strictement interdits.

ARTICLE 3.

Quand un navire a été capturé dans les eaux territoriales d'une Puissance neutre, cette Puissance

lowing common rules, which can not, however, modify provisions laid down in existing general treaties, and have appointed as their plenipotentiaries, namely :

[Names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions :

ARTICLE 1.

Belligerents are bound to respect the sovereign rights of neutral powers and to abstain, in neutral territory, or neutral waters, from any act which would, if knowingly permitted by any power, constitute a violation of neutrality.

ARTICLE 2.

Any act of hostility, including capture and the exercise of the right of search, committed by belligerent war ships in the territorial waters of a neutral power, constitutes a violation of neutrality and is strictly forbidden.

ARTICLE 3.

When a ship has been captured in the territorial waters of a neutral power, this power must em-

doit, si la prise est encore dans sa juridiction, user des moyens dont elle dispose pour que la prise soit relâchée avec ses officiers et son équipage, et pour que l'équipage mis à bord par le capteur soit interné.

Si la prise est hors de la juridiction de la Puissance neutre, le Gouvernement capteur, sur la demande de celle-ci, doit relâcher la prise avec ses officiers et son équipage.

ARTICLE 4.

Aucun tribunal des prises ne peut être constitué par un belligérant sur un territoire neutre ou sur un navire dans des eaux neutres.

ARTICLE 5.

Il est interdit aux belligérants de faire des ports et des eaux neutres la base d'opérations navales contre leurs adversaires, notamment d'y installer des stations radio-télégraphiques ou tout appareil destiné à servir comme moyen de communication avec des forces belligérantes sur terre ou sur mer.

ARTICLE 6.

La remise, à quelque titre que ce soit, faite directement ou indirectement par une Puissance neutre à une Puissance belligérante, de vaisseaux de guerre, de munitions, ou d'un matériel de guerre quelconque, est interdite.

ploy, if the prize is still within its jurisdiction, the means at its disposal to release the prize, with its officers and crew, and to intern the prize crew.

If the prize is not in the jurisdiction of the neutral power, the captor government, on the demand of that power, must liberate the prize with its officers and crew.

ARTICLE 4.

A prize court can not be set up by a belligerent on neutral territory or on a vessel in neutral waters.

ARTICLE 5.

Belligerents are forbidden to use neutral ports and waters as a base of naval operations against their adversaries, and in particular to erect wireless telegraphy stations or any apparatus for the purpose of communicating with the belligerent forces on land or sea.

ARTICLE 6.

The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever is forbidden.

ARTICLE 7.

Une Puissance neutre n'est pas tenue d'empêcher l'exportation ou le transit, pour le compte de l'un ou de l'autre des belligérants, d'armes, de munitions, et, en général, de tout ce qui peut être utile à une armée ou à une flotte.

ARTICLE 8.

Un Gouvernement neutre est tenu d'user des moyens dont il dispose pour empêcher dans sa juridiction l'équipement ou l'armement de tout navire, qu'il a des motifs raisonnables de croire destiné à croiser ou à concourir à des opérations hostiles contre une Puissance avec laquelle il est en paix. Il est aussi tenu d'user de la même surveillance pour empêcher le départ hors de sa juridiction de tout navire destiné à croiser ou à concourir à des opérations hostiles, et qui aurait été, dans ladite juridiction, adapté en tout ou en partie à des usages de guerre.

ARTICLE 9.

Une Puissance neutre doit appliquer également aux deux belligérants les conditions, restrictions ou interdictions, édictées par elle pour ce qui concerne l'admission dans ses ports, rades ou eaux territoriales, des navires de guerre belligérants ou de leurs prises.

Toutefois, une Puissance neutre

ARTICLE 7.

A neutral power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunitions, or, in general, of anything which could be of use to an army or fleet.

ARTICLE 8.

A neutral government is bound to employ the means at its disposal to prevent the fitting out or arming of any vessel within its jurisdiction which it has reason to believe is intended to cruise, or engage in hostile operations, against a power with which that government is at peace. It is also bound to display the same vigilance to prevent the departure from its jurisdiction of any vessel intended to cruise, or engage in hostile operations, which has been adapted entirely or partly within the said jurisdiction for use in war.

ARTICLE 9.

A neutral power must apply equally to the two belligerents the conditions, restrictions, or prohibitions made by it in regard to the admission into its ports, roadsteads, or territorial waters, of belligerent war ships or of their prizes.

Furthermore, a neutral power

peut interdire l'accès de ses ports et de ses rades au navire belligérant qui aurait négligé de se conformer aux ordres et prescriptions édictés par elle ou qui aurait violé la neutralité.

ARTICLE 10.

La neutralité d'une Puissance n'est pas compromise par le simple passage dans ses eaux territoriales des navires de guerre et des prises des belligérants.

ARTICLE 11.

Une Puissance neutre peut laisser les navires de guerre des belligérants se servir de ses pilotes brevetés.

ARTICLE 12.

A défaut d'autres dispositions spéciales de la législation de la Puissance neutre, il est interdit aux navires de guerre des belligérants de demeurer dans les ports et rades ou dans les eaux territoriales de ladite Puissance, pendant plus de 24 heures, sauf dans les cas prévus par la présente Convention.

ARTICLE 13.

Si une Puissance avisée de l'ouverture des hostilités apprend qu'un navire de guerre d'un belligérant se trouve dans un de ses ports et rades ou dans ses eaux

may forbid a belligerent vessel which has failed to conform to the orders and regulations made by it, or which has violated neutrality, to enter its ports or roadsteads.

ARTICLE 10.

The neutrality of a power is not affected by the mere passage through its territorial waters of war ships or prizes belonging to belligerents.

ARTICLE 11.

A neutral power may allow belligerent war ships to employ its licensed pilots.

ARTICLE 12.

In the absence of special provisions to the contrary in the legislation of a neutral power, belligerent war ships are not permitted to remain in the ports, roadsteads, or territorial waters of the said power for more than twenty-four hours, except in the cases covered by the present convention.

ARTICLE 13.

If a power which has been informed of the outbreak of hostilities learns that a belligerent war ship is in one of its ports or roadsteads, or in its territorial waters,

territoriales, elle doit notifier audit navire qu'il devra partir dans les 24 heures ou dans le délai prescrit par la loi locale.

ARTICLE 14.

Un navire de guerre belligérant ne peut prolonger son séjour dans un port neutre au delà de la durée légale que pour cause d'avaries ou à raison de l'état de la mer. Il devra partir dès que la cause du retard aura cessé.

Les règles sur la limitation du séjour dans les ports, rades et eaux neutres, ne s'appliquent pas aux navires de guerre exclusivement affectés à une mission religieuse, scientifique ou philanthropique.

ARTICLE 15.

A défaut d'autres dispositions spéciales de la législation de la Puissance neutre, le nombre maximum des navires de guerre d'un belligérant qui pourront se trouver en même temps dans un de ses ports ou rades, sera de trois.

ARTICLE 16.

Lorsque des navires de guerre des deux parties belligérantes se trouvent simultanément dans un port ou une rade neutres, il doit s'écouler au moins 24 heures entre

it must notify the said ship to depart within twenty-four hours or within the time prescribed by local regulations.

ARTICLE 14.

A belligerent war ship may not prolong its stay in a neutral port beyond the permissible time except on account of damage or stress of weather. It must depart as soon as the cause of the delay is at an end.

The regulations as to the question of the length of time which these vessels may remain in neutral ports, roadsteads, or waters do not apply to war ships devoted exclusively to religious, scientific, or philanthropic purposes.

ARTICLE 15.

In the absence of special provisions to the contrary in the legislation of a neutral power, the maximum number of war ships belonging to a belligerent which may be in one of the ports or roadsteads of that power simultaneously shall be three.

ARTICLE 16.

When war ships belonging to both belligerents are present simultaneously in a neutral port or roadstead, a period of not less than twenty-four hours must elapse be-

le départ du navire d'un belligérant et le départ du navire de l'autre.

L'ordre des départs est déterminé par l'ordre des arrivées, à moins que le navire arrivé le premier ne soit dans le cas où la prolongation de la durée légale du séjour est admise.

Un navire de guerre belligérant ne peut quitter un port ou une rade neutres moins de 24 heures après le départ d'un navire de commerce portant le pavillon de son adversaire.

ARTICLE 17.

Dans les ports et rades neutres, les navires de guerre belligérants ne peuvent réparer leurs avaries que dans la mesure indispensable à la sécurité de leur navigation et non pas accroître, d'une manière quelconque, leur force militaire. L'autorité neutre constatera la nature des réparations à effectuer qui devront être exécutées le plus rapidement possible.

ARTICLE 18.

Les navires de guerre belligérants ne peuvent pas se servir des ports, rades et eaux territoriales neutres, pour renouveler ou augmenter leurs approvisionnements militaires ou leur armement ainsi que pour compléter leurs équipages.

tween the departure of the ship belonging to one belligerent and the departure of the ship belonging to the other.

The order of departure is determined by the order of arrival, unless the ship which arrived first is so circumstanced that an extension of its stay is permissible.

A belligerent war ship may not leave a neutral port or roadstead until twenty-four hours after the departure of a merchant ship flying the flag of its adversary.

ARTICLE 17.

In neutral ports and roadsteads belligerent war ships may only carry out such repairs as are absolutely necessary to render them seaworthy, and may not add in any manner whatsoever to their fighting force. The authorities of the neutral power shall decide what repairs are necessary, and these must be carried out with the least possible delay.

ARTICLE 18.

Belligerent war ships may not make use of neutral ports, roadsteads, or territorial waters, for replenishing or increasing their supplies of war material or their armament, or for completing their crews.

ARTICLE 19.

Les navires de guerre belligérants ne peuvent se ravitailler dans les ports et rades neutres que pour compléter leur approvisionnement normal du temps de paix.

Ces navires ne peuvent, de même, prendre du combustible que pour gagner le port le plus proche de leur propre pays. Ils peuvent, d'ailleurs, prendre le combustible nécessaire pour compléter le plein de leurs soutes proprement dites, quand ils se trouvent dans les pays neutres qui ont adopté ce mode de détermination du combustible à fournir.

Si, d'après la loi de la Puissance neutre, les navires ne reçoivent du charbon que 24 heures après leur arrivée, la durée légale de leur séjour est prolongée de 24 heures.

ARTICLE 20.

Les navires de guerre belligérants, qui ont pris du combustible dans le port d'une Puissance neutre, ne peuvent renouveler leur approvisionnement qu'après trois mois dans un port de la même Puissance.

ARTICLE 21.

Une prise ne peut être amenée dans un port neutre que pour cause d'innavigabilité, de mauvais état de la mer, de manque de combustible ou de provisions.

ARTICLE 19.

Belligerent war ships may only revictual in neutral ports or roadsteads to complete their supplies up to amount usual in time of peace.

Similarly these vessels may only ship sufficient fuel to enable them to reach the nearest port of their country. They may, however, fill up their bunkers built to carry fuel, when in neutral countries which have adopted this method of determining the amount of fuel to be supplied.

If, in accordance with the law of the neutral power, the ships are not supplied with coal within twenty-four hours of their arrival, the permissible duration of their stay is extended by twenty-four hours.

ARTICLE 20.

Belligerent war ships which have shipped fuel in a port belonging to a neutral power may not within the succeeding three months replenish their supply in a port of the same power.

ARTICLE 21.

A prize may only be brought into neutral port on account of unseaworthiness, stress of weather, or want of fuel or provisions.

Elle doit repartir aussitôt que la cause qui en a justifié l'entrée a cessé. Si elle ne le fait pas, la Puissance neutre doit lui notifier l'ordre de partir immédiatement; au cas où elle ne s'y conformerait pas, la Puissance neutre doit user des moyens dont elle dispose pour la relâcher avec ses officiers et son équipage et interner l'équipage mis à bord par le capteur.

ARTICLE 22.

La Puissance neutre doit, de même, relâcher la prise qui aurait été amenée en dehors des conditions prévues par l'article 21.

ARTICLE 23.

Une Puissance neutre peut permettre l'accès de ses ports et rades aux prises escortées ou non, lorsqu'elles y sont amenées pour être laissées sous sequestre en attendant la décision du tribunal des prises. Elle peut faire conduire la prise dans un autre de ses ports.

Si la prise est escortée par un navire de guerre, les officiers et les hommes mis à bord par le capteur sont autorisés à passer sur le navire d'escorte.

Si la prise voyage seule, le personnel placé à son bord par le capteur est laissé en liberté.

It must leave as soon as the circumstances which justified its entry are at an end. If it does not, the neutral power must order it to leave at once; should it fail to obey, the neutral power must employ the means at its disposal to release it with its officers and crew and to intern the prize crew.

ARTICLE 22.

A neutral power must, similarly, release a prize brought into one of its ports under circumstances other than those referred to in article 21.

ARTICLE 23.

A neutral power may allow prizes to enter its ports and roadsteads, whether under convoy or not, when they are brought there to be sequestered pending the decision of a prize court. It may have the prize taken to another of its ports.

If the prize is convoyed by a war ship, the prize crew may go on board the convoying ship.

If the prize is not under convoy, the prize crew are left at liberty.

ARTICLE 24.

Si, malgré la notification de l'autorité neutre, un navire de guerre belligérant ne quitte pas un port dans lequel il n'a pas le droit de rester, la Puissance neutre a le droit de prendre les mesures qu'elle pourra juger nécessaires pour rendre le navire incapable de prendre la mer pendant la durée de la guerre et le commandant du navire doit faciliter l'exécution de ces mesures.

Lorsqu'un navire belligérant est retenu par une Puissance neutre, les officiers et l'équipage sont également retenus.

Les officiers et l'équipage ainsi retenus peuvent être laissés dans le navire ou logés, soit sur un autre navire, soit à terre, et ils peuvent être assujettis aux mesures restrictives qu'il paraîtrait nécessaire de leur imposer. Toutefois, on devra toujours laisser sur le navire les hommes nécessaires à son entretien.

Les officiers peuvent être laissés libres en prenant l'engagement sur parole de ne pas quitter le territoire neutre sans autorisation.

ARTICLE 25.

Une Puissance neutre est tenue d'exercer la surveillance, que comportent les moyens dont elle dispose, pour empêcher dans ses ports

ARTICLE 24.

If, notwithstanding the notification of the neutral power, a belligerent ship of war does not leave a port where it is not entitled to remain, the neutral power is entitled to take such measures as it considers necessary to render the ship incapable of taking the sea during the war, and the commanding officer of the ship must facilitate the execution of such measures.

When a belligerent ship is detained by a neutral power, the officers and crew are likewise detained.

The officers and crew thus detained may be left in the ship or kept either on another vessel or on land, and may be subjected to the measures of restriction which it may appear necessary to impose upon them. A sufficient number of men for looking after the vessel must, however, be always left on board.

The officers may be left at liberty on giving their word not to quit the neutral territory without permission.

ARTICLE 25.

A neutral power is bound to exercise such surveillance as the means at its disposal allow to prevent any violation of the provisions

ou rades et dans ses eaux toute violation des dispositions qui précèdent.

ARTICLE 26.

L'exercice par une Puissance neutre des droits définis par la présente Convention ne peut jamais être considéré comme un acte peu amical par l'un ou par l'autre belligérant qui a accepté les articles qui s'y réfèrent.

ARTICLE 27.

Les Puissances contractantes se communiqueront réciproquement, en temps utile, toutes les lois, ordonnances et autres dispositions réglant chez elles le régime des navires de guerre belligérants dans leurs ports et leurs eaux, au moyen d'une notification adressée au Gouvernement des Pays-Bas et transmise immédiatement par celui-ci aux autres Puissances contractantes.

ARTICLE 28.

Les dispositions de la présente Convention ne sont applicables qu'entre les Puissances contractantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 29.

La présente Convention sera ratifiée aussitôt que possible.

Les ratifications seront déposées à La Haye.

of the above articles occurring in its ports or roadsteads or in its waters.

ARTICLE 26.

The exercise by a neutral power of the rights laid down in the present convention can under no circumstances be considered as an unfriendly act by either of the belligerents who has accepted the articles relating thereto.

ARTICLE 27.

The contracting powers shall communicate to each other in due course all laws, proclamations, and other enactments regulating in their respective countries the status of belligerent war ships in their ports and waters, by means of a communication addressed to the Government of the Netherlands, and forwarded immediately by that Government to the other contracting powers.

ARTICLE 28.

The provisions of the present convention do not apply except to the contracting powers, and then only if all the belligerents are parties to the convention.

ARTICLE 29.

The present convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

Le premier dépôt de ratifications sera constaté par un *procès-verbal* signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du *procès-verbal* relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 30.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the powers which take part therein and by the Netherlands Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the ratifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 30.

Nonsignatory powers may adhere to the present convention.

The power which desires to adhere notifies in writing its intention to the Netherlands Government, forwarding to it the act of

sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 31.

La présente Convention produira effet pour les Puissances qui auront participé au premier dépôt des ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

ARTICLE 32.

• S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

adhesion, which shall be deposited in the archives of the said Government.

That Government shall at once transmit to all the other powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 31.

The present convention shall come into force, in the case of the powers which were a party to the first deposit of the ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the powers who ratify subsequently or who adhere, sixty days after the notification of their ratification or of their decision has been received by the Netherlands Government.

ARTICLE 32.

In the event of one of the contracting powers wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherlands Government, who shall at once communicate a duly certified copy of the notification to all the other powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying power, and one year after the notification has been made to the Netherlands Government.

ARTICLE 33.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 29 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 30 alinéa 2) ou de dénonciation (article 32 alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

ARTICLE 33.

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made by virtue of article 29, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 30, paragraph 2) or of denunciation (article 32, paragraph 1) have been received.

Each contracting power is entitled to have access to this register and to be supplied with duly certified extracts.

In faith whereof the plenipotentiaries have appended their signatures to the present convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the powers which have been invited to the Second Peace Conference.

[TRANSLATION.]

Declaration relative à l'interdiction de lancer des projectiles et des explosifs au haut de ballons.

Les soussignés, Plénipotentiaires des Puissances conviées à la Deuxième Conférence Internationale de la Paix à La Haye,

Declaration Prohibiting the Discharge of Projectiles and Explosives from Balloons.

The undersigned, plenipotentiaries of the powers invited to the Second International Peace Conference at The Hague, duly au-

dûment autorisés à cet effet par leurs Gouvernements,

s'inspirant des sentiments qui ont trouvé leur expression dans la Déclaration de St. Pétersbourg du ^{29 novembre}_{11 décembre} 1868, et désirant renouveler la déclaration de La Haye du 29 juillet 1899, arrivée à expiration,

Déclarent:

Les Puissances contractantes consentent, pour une période allant jusqu'à la fin de la Troisième Conférence de la Paix, à l'interdiction de lancer des projectiles et des explosifs du haut de ballons ou par d'autres modes analogues nouveaux.

La présente Déclaration n'est obligatoire que pour les Puissances contractantes, en cas de guerre entre deux ou plusieurs d'entre elles.

Elle cessera d'être obligatoire du moment où, dans une guerre entre des Puissances contractantes, une Puissance non contractante se joindrait à l'un des belligérants.

La présente Déclaration sera ratifiée dans le plus bref délai possible.

Les ratifications seront déposées à La Haye.

Il sera dressé du dépôt des ratifications un procès-verbal, dont une copie, certifiée conforme, sera remise par la voie diplomatique à toutes les Puissances contractantes.

thorized to that effect by their governments,

Inspired by the sentiments which found expression in the declaration of St. Petersburg of the 29th November (11th December), 1868, and being desirous of renewing the declaration of The Hague of the 29th July, 1899, which has now expired,

Declare:

The contracting powers agree to prohibit, for a period extending to the close of the Third Peace Conference, the discharge of projectiles and explosives from balloons or by other new methods of a similar nature.

The present declaration is only binding on the contracting powers in case of war between two or more of them.

It shall cease to be binding from the time when, in a war between the contracting powers, one of the belligerents is joined by a noncontracting power.

The present declaration shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

A *procès-verbal* shall be drawn up recording the receipt of the ratifications, of which a duly certified copy shall be sent, through the diplomatic channel, to all the contracting powers.

Les Puissances non signataires pourront adhérer à la présente Déclaration. Elles auront, à cet effet, à faire connaître leur adhésion aux Puissances contractantes, au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et communiquée par celui-ci à toutes les autres Puissances contractantes.

S'il arrivait qu'une des Hautes Parties Contractantes dénonçât la présente Déclaration, cette dénonciation ne produirait ses effets qu'un an après la notification faite par écrit au Gouvernement des Pays-Bas et communiquée immédiatement par celui-ci à toutes les autres Puissances contractantes.

Cette dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Déclaration de leurs signatures.

Fait à La Haye, le dix-huit octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances contractantes.

Nonsignatory powers may adhere to the present declaration. To do so, they must make known their adhesion to the contracting powers by means of a written notification, addressed to the Netherlands Government, and communicated by it to all the other contracting powers.

In the event of one of the high contracting parties denouncing the present declaration, such denunciation shall not take effect until a year after the notification made in writing to the Netherlands Government, and forthwith communicated by it to all the other contracting powers.

This denunciation shall only have effect in regard to the notifying power.

In faith whereof the plenipotentiaries have appended their signatures to the present declaration.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the contracting powers.

TREATY AND CONVENTIONS OF THE CENTRAL AMERICAN PEACE
CONFERENCE.*Tratado General de Paz y Amistad.**General Treaty of Peace and
Amity.*

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, deseando establecer las bases que fijen las relaciones generales de dichos países, han tenido á bien celebrar un Tratado General de Paz y Amistad, que llene aquel fin, y al efecto han nombrado Delegados:

COSTA RICA: á los Excelentísimos Señores Licenciado Don Luis Anderson y Don Joaquín B. Calvo;

GUATEMALA: á los Excelentísimos Señores Licenciado Don Antonio Batres Jáuregui, Doctor Don Luis Toledo Herrarte y Don Victor Sánchez Ocaña;

HONDURAS: á los Excelentísimos Señores Doctor Don Policarpo Bonilla, Doctor Don Angel Ugarte y Don E. Constantino Fiallos;

NICARAGUA: á los Excelentísimos Señores Doctores Don José Madriz y Don Luis F. Corea; y

EL SALVADOR: á los Excelentísimos Señores Doctor Don Salvador Gallegos, Doctor Don Salvador Rodríguez González y Don Federico Mejía.

En virtud de la invitación hecha conforme al Artículo II del Protocolo firmado en Washington el 17 de Setiembre de 1907 por los

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, being desirous of establishing the foundations which fix the general relations of said countries, have seen fit to conclude a general Treaty of Peace and Amity which will attain said end, and for that purpose have named as Delegates:

COSTA RICA: Their Excellencies Doctor Don Luis Anderson and Don Joaquín B. Calvo;

GUATEMALA: Their Excellencies Doctor Don Antonio Batres Jáuregui, Doctor Don Luis Toledo Herrarte, and Don Victor Sánchez Ocaña.

HONDURAS: Their Excellencies Doctor Don Policarpo Bonilla, Doctor Don Angel Ugarte, and Don E. Constantino Fiallos;

NICARAGUA: Their Excellencies Doctors Don José Madriz and Don Luis F. Corea; and

SALVADOR: Their Excellencies Doctor Don Salvador Gallegos, Doctor Don Salvador Rodríguez González, and Don Federico Mejía.

By virtue of the invitation sent in accordance with Article II of the protocol signed at Washington on September 17, 1907, by the

Representantes Plenipotenciarios de las cinco Repúblicas Centro americanas, estuvieron presentes en todas las deliberaciones los Excelentísimos Señores Representante del Gobierno de los Estados Unidos Mexicanos, Embajador Don Enrique C. Creel, y Representante del Gobierno de los Estados Unidos de América, Mr. William I. Buchanan.

Los Delegados, reunidos en la Conferencia de Paz Centroamericana en Washington, después de haberse comunicado sus respectivos plenos poderes, que encontraron en buena forma, han convenido en llevar á efecto el propósito indicado de la manera siguiente:

ARTÍCULO I.

Las Repúblicas de Centro América consideran como el primordial de sus deberes, en sus relaciones mutuas, el mantenimiento de la paz; y se obligan á observar siempre la más completa armonía y á resolver todo desacuerdo ó dificultad que pueda sobrevenir entre ellas, de cualquiera naturaleza que sea, por medio de la Corte de Justicia Centroamericana, creada por la Convención que han concluido al efecto en esta fecha.

ARTÍCULO II.

Deseando asegurar en las Repúblicas de Centro América los

Plenipotentiary Representatives of the five Central American Republics, their excellencies, the Representatives of the Government of the United Mexican States, Ambassador Don Enrique C. Creel, and the Representative of the Government of the United States of America, Mr. William I. Buchanan, were present at all the deliberations.

The Delegates, assembled in the Central American Peace Conference at Washington, after having communicated to one another their respective full powers, which they found to be in due form, have agreed to carry out the said purpose in the following manner:

ARTICLE I.

The Republics of Central America consider as one of their first duties, in their mutual relations, the maintenance of peace; and they bind themselves to always observe the most complete harmony, and decide every difference or difficulty that may arise amongst them, of whatsoever nature it may be, by means of the Central American Court of Justice, created by the Convention which they have concluded for that purpose on this date.

ARTICLE II.

Desiring to secure in the Republics of Central America the

beneficios que se derivan de la práctica de las instituciones y contribuir al propio tiempo á afirmar su estabilidad y los prestigios de que deben rodearse, declara que se considera amenazante á la paz de dichas Repúblicas, toda disposición ó medida que tienda á alterar en cualquiera de ellas el orden constitucional.

ARTÍCULO III.

Atendiendo á la posición geográfica central de Honduras y á las facilidades que esta circunstancia ha dado para que su territorio haya sido con la mayor frecuencia el teatro de las contiendas centro-americanas, Honduras declara desde ahora su absoluta neutralidad en cualquier evento de conflicto entre las otras Repúblicas; y éstas, á su vez, si se observare tal neutralidad, se obligan á respetarla y á no violar en ningún caso el territorio hondureño.

ARTÍCULO IV.

Atendiendo á les ventajas que deben obtenerse de la creación de Institutos Centroamericanos para el fomento de sus más vitales intereses, además del Instituto Pedagógico y de la Oficina Internacional Centroamericana que han

benefits which are derived from the maintenance of their institutions, and to contribute at the same time in strengthening their stability and the prestige with which they ought to be surrounded, it is declared that every disposition or measure which may tend to alter the constitutional organization in any of them is to be deemed a menace to the peace of said Republics.

ARTICLE III.

Taking into account the central geographical position of Honduras and the facilities which owing to this circumstance have made its territory most often the theater of Central American conflicts, Honduras declares from now on its absolute neutrality in event of any conflict between the other Republics; and the latter, in their turn, provided such neutrality be observed, bind themselves to respect it and in no case to violate the Honduran territory.

ARTICLE IV.

Bearing in mind the advantages which must be gained from the creation of Central American institutions for the development of their most vital interests, besides the Pedagogical Institute and the International Central American

de establecerse según las Convenciones celebradas al efecto por esta Conferencia, se recomienda especialmente á los Gobiernos la creación de una Escuela práctica de Agricultura en la República de el Salvador, una de Minería y Mecánica en la de Honduras y otra de Artes y Oficios en la de Nicaragua.

ARTÍCULO V.

Para cultivar las relaciones entre los Estados, las Partes contratantes se obligan á acreditar ante cada una de las otras, una Legación permanente.

ARTÍCULO VI.

Los ciudadanos de una de las Partes contratantes, residentes en el territorio de cualquiera de las otras, gozarán de los mismos derechos civiles de que gozan los nacionales, y se considerarán como ciudadanos en el país de su residencia, si reúnen las condiciones que exigen las correspondientes leyes constitutivas. Los no naturalizados estarán exentos del servicio militar obligatorio, por mar ó por tierra, y de todo empréstito forzoso ó requerimiento militar, y no se les obligará por ningún motivo á pagar más contribuciones ó tasas ordinarias ó extraordinarias que aquellas que pagan los naturales.

Bureau which are to be established according to the Conventions concluded to that end by this Conference, the creation of a practical Agricultural School in the Republic of Salvador, one of Mines and Mechanics in that of Honduras, and another of Arts and Trades in that of Nicaragua, is especially recommended to the Governments.

ARTICLE V.

In order to cultivate the relations between the States, the contracting Parties obligate themselves each to accredit to the others a permanent Legation.

ARTICLE VI.

The citizens of one of the contracting Parties, residing in the territory of any of the others, shall enjoy the same civil rights as are enjoyed by nationals, and shall be considered as citizens in the country of their residence if they fulfill the conditions which the respective constituent laws provide. Those that are not naturalized shall be exempt from obligatory military service, either on sea or land, and from every forced loan or military requisition, and they shall not be obliged on any account to pay greater contributions or ordinary or extraordinary imposts than those which natives pay.

ARTÍCULO VII.

Los individuos que hayan adquirido un título profesional en alguna de las Repúblicas contratantes podrán ejercer en cualquiera de las otras, sin especial gravamen, sus profesiones, con arreglo á las respectivas leyes; sin más requisitos que los de presentar el título ó diploma correspondiente debidamente autenticado, y justificar, en caso necesario, la identidad de la persona y obtener el pase del Poder Ejecutivo donde así lo requiera la ley.

También serán válidos los estudios científicos hechos en las Universidades, Escuelas Facultativas é Institutos de Segunda Enseñanza de cualquiera de los países contratantes, previa la autenticación de los documentos que acrediten dichos estudios y la comprobación de la identidad de la persona.

ARTÍCULO VIII.

Los ciudadanos de los países signatarios que residan en el territorio de los otros gozarán del derecho de propiedad literaria, artística ó industrial en los mismos términos y sujetos á los mismos requisitos que los naturales.

ARTÍCULO IX.

Las naves mercantes de los países signatarios se considera-

ARTICLE VII.

The individuals who have acquired a professional degree in any of the contracting Republics, may, without special exaction, practice their professions, in accordance with the respective laws, in any one of the others, without other requirements than those of presenting the respective degree or diploma properly authenticated and of proving, in case of necessity, their personal identity and of obtaining a permit from the Executive Power where the law so requires.

In like manner shall validity attach to the scientific studies pursued in the universities, professional schools, and the schools of higher education of any one of the contracting countries, provided the documents which evidence such studies have been authenticated, and the identity of the person proved.

ARTICLE VIII.

Citizens of the signatory countries who reside in the territory of the others shall enjoy the right of literary, artistic or industrial property in the same manner and subject to the same requirements as natives.

ARTICLE IX.

The merchant ships of the signatory countries shall be consid-

rán en los mares, costas y puertos de los indicados países como naves nacionales; gozarán de las mismas exenciones, franquicias y concesiones que éstas y no pagarán otros derechos ni tendrán otros gravámenes que los que paguen y tengan impuestos las embarcaciones del país respectivo.

ARTÍCULO X.

Los Gobiernos de las Repúblicas contratantes se comprometen á respetar la inviolabilidad del derecho de asilo á bordo de los buques mercantes de cualquiera nacionalidad surtos en sus puertos. En consecuencia, no podrá extraerse de dichas embarcaciones sino á los reos de delitos comunes, por orden de Juez competente y con las formalidades legales. Á los perseguidos por delitos políticos, ó delitos comunes conexos con los políticos, sólo podrá extraérseles en el caso de que se hayan embarcado en un puerto del Estado que los reclama, mientras permanezcan en sus aguas jurisdiccionales y cumpliéndose los requisitos exigidos anteriormente para los casos de delitos comunes.

ARTÍCULO XI.

Los Agentes diplomáticos y consulares de las Repúblicas contratantes en las ciudades, plazas y

ered upon the sea, along the coasts, and in the ports of said countries as national vessels; they shall enjoy the same exemptions, immunities and concessions as the latter, and shall not pay other dues nor be subject to further taxes than those imposed upon and paid by the vessels of the country.

ARTICLE X.

The Governments of the contracting Republics bind themselves to respect the inviolability of the right of asylum aboard the merchant vessels of whatsoever nationality anchored in their ports. Therefore, only persons accused of common crimes can be taken from them after due legal procedure and by order of the competent judge. Those prosecuted on account of political crimes or common crimes in connection with political ones, can only be taken therefrom in case they have embarked in a port of the State which claims them, during their stay in its jurisdictional waters, and after the requirements hereinbefore set forth in the case of common crimes have been fulfilled.

ARTICLE XI.

The Diplomatic and Consular Agents of the contracting Republics in foreign cities, towns and

puertos extranjeros prestarán á las personas, buques y demás propiedades de los ciudadanos de cualquiera de ellas, la misma protección que á las personas, buques y demás propiedades de sus compatriotas, sin exigir por sus servicios otros ó mayores derechos que los acostumbrados respecto de sus nacionales.

ARTÍCULO XII.

En el deseo de fomentar el comercio entre las Repúblicas contratantes, sus respectivos Gobiernos se pondrán de acuerdo para el establecimiento de naves nacionales y mercantes que hagan el comercio de cabotaje y para los arreglos y subvenciones que deban acordarse á las Compañías de vapores que hagan el tráfico entre los puertos nacionales y los del exterior.

ARTÍCULO XIII.

Habrà entre las Partes contratantes un canje completo y regular de toda clase de publicaciones oficiales.

ARTÍCULO XIV.

Los instrumentos públicos otorgados en una de las Repúblicas contratantes serán válidos en las otras, siempre que estén debidamente autenticados y que en su celebración se hayan observado las leyes de la República de donde proceden.

ports shall afford to the persons, vessels and other property of the citizens of any one of them, the same protection as to the persons, ships and other properties of their compatriots, without demanding for their services other or higher charges than those usually made with respect to their nationals.

ARTICLE XII.

In the desire of promoting commerce between the contracting Republics, their respective Governments shall agree upon the establishment of national merchant marines engaged in coastwise commerce and the arrangements to be made with and the subsidies to be granted to steamship companies engaged in the trade between national and foreign ports.

ARTICLE XIII.

There shall be a complete and regular exchange of every class of official publications between the contracting Parties.

ARTICLE XIV.

Public instruments executed in one of the contracting Republics shall be valid in the others, provided they shall have been properly authenticated and in their execution the laws of the Republic whence they issue shall have been observed.

ARTÍCULO XV.

Las autoridades judiciales de las Repúblicas contratantes darán curso á las requisitorias en materia civil, comercial ó criminal, concernientes á citaciones, interrogatorios y demás actos de procedimiento ó instrucción.

Los demás actos judiciales, en materia civil ó comercial, procedentes de acción personal, tendrán en el territorio de cualquiera de las Partes contratantes igual fuerza que los de los tribunales locales, y se ejecutarán del mismo modo, siempre que se declaren previamente ejecutorios por el Tribunal Supremo de la República en donde han de tener ejecución, lo cual se verificará si llenaren las condiciones esenciales que exige su respectiva legislación y conforme á las leyes señaladas en cada país para la ejecución de las sentencias.

ARTÍCULO XVI.

Deseando prevenir una de las causas más frecuentes de trastornos en las Repúblicas, los Gobiernos contratantes no permitirán que los cabecillas ó jefes principales de las emigraciones políticas, ni sus agentes, residan en los departamentos fronterizos á los países cuya paz pudieran perturbar.

ARTICLE XV.

The judicial authorities of the contracting Republics shall carry out the judicial commissions and warrants in civil, commercial or criminal matters, with regard to citations, interrogatories and other acts of procedure or judicial function.

Other judicial acts, in civil or commercial matters, arising out of a personal suit, shall have in the territory of any one of the contracting Parties equal force with those of the local tribunals and shall be executed in the same manner, provided always that they shall first have been declared executory by the Supreme Tribunal of the Republic wherein they are to be executed, which shall be done if they meet the essential requirements of their respective legislation and they shall be carried out in accordance with the laws enacted in each country for the execution of judgments.

ARTICLE XVI.

Desiring to prevent one of the most frequent causes of disturbances in the Republics, the contracting Governments shall not permit the leaders or principal chiefs of political refugees, nor their agents, to reside in the departments bordering on the countries whose peace they might disturb.

Los que estuvieren actualmente establecidos de una manera fija en un departamento fronterizo podrán permanecer en el lugar de su residencia bajo la inmediata vigilancia del Gobierno asilador; pero desde el momento en que llegaren á constituir peligro para el orden serán incluidos en la regla del inciso precedente.

Those who may have established their permanent residence in a frontier department may remain in the place of their residence under the immediate surveillance of the Government affording them an asylum, but from the moment when they become a menace to public order they shall be included in the rule of the preceding paragraph.

ARTÍCULO XVII.

Toda persona, cualquiera que sea su nacionalidad, que, dentro del territorio de una de las Partes contratantes iniciare ó fomentare trabajos revolucionarios contra alguna de las otras, será inmediatamente concentrada á la capital de la República, donde se las someterá á juicio con arreglo á la ley.

ARTICLE XVII.

Every person, no matter what his nationality, who, within the territory of one of the contracting Parties, shall initiate or foster revolutionary movements against any of the others, shall be immediately brought to the capital of the Republic, where he shall be submitted to trial according to law.

ARTÍCULO XVIII.

En cuanto á la Oficina de las Repúblicas Centroamericanas que se establecerá en Guatemala y respecto al Instituto Pedagógico que ha de crearse en Costa Rica, se observarán las Convenciones celebradas al efecto, así como también regirán las que se refieren á Extradición, Comunicaciones y Conferencias Anuales para unificar los intereses Centroamericanos.

ARTICLE XVIII.

With respect to the Bureau of Central America Republics which shall be established in Guatemala, and with respect to the Pedagogical Institute which is to be created in Costa Rica, the Conventions celebrated to that end, shall be observed, and those that refer to Extradition, Communications, and Annual Conferences, shall remain in full force for the unification of Central American interests.

ARTÍCULO XIX.

El presente Tratado permanecerá en vigor por el término de diez años contados desde el día del canje de las ratificaciones. Sin embargo, si un año antes de expirar dicho término no se hubiere hecho por alguna de las Partes contratantes notificación especial á las otras sobre la intención de terminarlo, continuará rigiendo hasta un año después de que se haya hecho la referida notificación.

ARTÍCULO XX.

Estando resumidas ó convenientemente modificadas en este Tratado las estipulaciones de los celebrados anteriormente entre los países contratantes, se declara que todos quedan sin efecto y derogados por el actual, cuando sea definitivamente aprobado y canjeado.

ARTÍCULO XXI.

El canje dé las ratificaciones del presente Tratado así como el de las otras Convenciones concluidas en esta fecha, se hará por medio de comunicaciones que dirijan los Gobiernos al de Costa Rica, para que éste lo haga saber á los demás Estados contratantes. El Gobierno de Costa Rica les comunicará también la ratificación, si la otorgare.

ARTICLE XIX.

The present Treaty shall remain in force for the term of ten years counted from the day of the exchange of ratifications. Nevertheless, if one year before the expiration of said term, none of the contracting Parties shall have given special notice to the others concerning its intention to terminate it, it shall remain in force until one year after such notification shall have been made.

ARTICLE XX.

The stipulations of the Treaties heretofore concluded among the contracting Countries, being comprised or suitably modified in this, it is declared that all stipulations remain void and revoked by the present, after final approval and exchange of ratifications.

ARTICLE XXI.

The exchange of ratifications of the present Treaty, as well as that of the other Conventions of this date, shall be made by means of communications which are to be addressed by the Governments to that of Costa Rica, in order that the latter shall notify the other contracting States. The Government of Costa Rica shall also communicate its ratification if it effects it.

Firmada en la ciudad de Washington, á los veinte días del mes de Diciembre de mil novecientos siete.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

LUIS ANDERSON
J. B. CALVO.
ANTONIO BATRES JÁUREGUI
LUIS TOLEDO HERRARTE
VÍCTOR SÁNCHEZ O.
POLICARPO BONILLA
ANGEL UGARTE
E. CONSTANTINO FIALLOS
JOSÉ MADRIZ
LUIS F. COREA
SALVADOR GALLEGOS
SALVADOR RODRÍGUEZ G.
F. MEJÍA.

Convención Adicional al Tratado General.

Additional Convention to the General Treaty.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, han tenido á bien una Convención Adicional al Tratado General, y al efecto han nombrado Delegados:

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, have seen fit to conclude a Convention additional to the General Treaty, and to that end have named as Delegates:

[Nombres de los delegados.]

[Names of delegates.]

ARTÍCULO I.

ARTICLE I.

Los Gobiernos de las Altas Partes Contratantes no reconocerán á ninguno que surja en cualquiera de las cinco Repúblicas

The Governments of the High Contracting Parties shall not recognize any other Government which may come into power in

por consecuencia de un golpe de Estado, ó de una revolución contra un Gobierno reconocido, mientras la representación del pueblo, libremente electa, no haya reorganizado el país en forma constitucional.

any of the five Republics as a consequence of a *coup d'état*, or of a revolution against the recognized Government, so long as the freely elected representatives of the people thereof, have not constitutionally reorganized the country.

ARTÍCULO II.

Ningún Gobierno de Centro América podrá, en caso de guerra civil, intervenir en favor ni en contra del Gobierno del país donde la contienda tuviera lugar.

ARTICLE II.

No Government of Central America shall in case of civil war intervene in favor of or against the Government of the country where the struggle takes place.

ARTÍCULO III.

Se recomienda á los Gobiernos de Centro América procurar, por los medios que estén á su alcance, en primer término la reforma constitucional en el sentido de prohibir la reelección de Presidente de la República, donde tal prohibición no exista, y en segundo, la adopción de todas las disposiciones necesarias para rodear de completa garantía el principio de alternabilidad en el poder.

Firmada en la ciudad de Washington, á los veinte días de Diciembre de mil novecientos siete.

ARTICLE III.

The Governments of Central America, in the first place, are recommended to endeavor to bring about, by the means at their command, a constitutional reform in the sense of prohibiting the reelection of the President of a Republic, where such prohibition does not exist, secondly to adopt all measures necessary to effect a complete guarantee of the principle of alternation in power.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

*Convención para el Establecimiento
de una Corte de Justicia Centro-
americana.*

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, con el propósito de garantizar eficazmente sus derechos y mantener inalterables la paz y armonía de sus relaciones, sin tener que recurrir en ningún caso al empleo de la fuerza, han convenido en celebrar una Convención para constituir un Tribunal de Justicia encargado de realizar tan altos fines, y al efecto han nombrado Delegados:

[Nombres de los delegados.]

ARTÍCULO I.

Las Altas Partes Contratantes convienen por la presente en constituir y sostener un Tribunal permanente que se denominará "Corte de Justicia Centroamericana," la cual se comprometen á someter todas las controversias ó cuestiones que entre ellas puedan sobrevenir, de cualquiera naturaleza que sean y cualquiera que sea su origen, en el caso de que las respectivas Cancillerías no hubieren podido llegar á un avenimiento.

ARTÍCULO II.

Esta Corte conocerá asimismo de las cuestiones que inicien los

*Convention for the Establishment
of a Central American Court of
Justice.*

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua and Salvador, for the purpose of efficaciously guaranteeing their rights and maintaining peace and harmony inalterably in their relations, without being obliged to resort in any case to the employment of force, have agreed to conclude a Convention for the constitution of a Court of Justice charged with accomplishing such high aims, and, to that end, have named as Delegates:

[Names of delegates.]

ARTICLE I.

The High Contracting Parties agree by the present Convention to constitute and maintain a permanent tribunal which shall be called the "Central American Court of Justice," to which they bind themselves to submit all controversies or questions which may arise among them, of whatsoever nature and no matter what their origin may be, in case the respective Departments of Foreign Affairs should not have been able to reach an understanding.

ARTICLE II.

This Court shall also take cognizance of the questions which in-

particulares de un país centro-americano contra alguno de los otros Gobiernos contratantes, por violación de tratados ó convenciones, y en los demás casos de carácter internacional, sea que su propio Gobierno apoye ó nó dicha reclamación; y con tal que se hubieren agotado los recursos que las leyes del respectivo país concedieren contra tal violación, ó se demostrare denegación de justicia.

ARTÍCULO III.*

También conocerá de los casos que de común acuerdo le sometieren los Gobiernos contratantes, ya sea que ocurran entre dós ó más de ellos ó entre alguno de dichos Gobiernos y particulares.

También conocerá de los casos que ocurran entre alguno de los Gobiernos contratantes y personas particulares, cuando de común acuerdo le fueren sometidos.

ARTÍCULO IV.

Podrá igualmente conocer la Corte de las cuestiones internacionales, que por convención espe-

dividuals of one Central American country may raise against any of the other contracting Governments, because of the violation of treaties or conventions, and other cases of an international character; no matter whether their own Government supports said claim or not; and provided that the remedies which the laws of the respective country provide against such violation shall have been exhausted or that denial of justice shall have been shown.

ARTICLE III.*

It shall also take cognizance of the cases which by common accord the contracting Governments may submit to it, no matter whether they arise between two or more of them or between one of said Governments and individuals.

It shall also have jurisdiction over cases arising between any of the Contracting Governments and individuals, when by common accord they are submitted to it.

ARTICLE IV.

The Court can likewise take cognizance of the international questions which by special agree-

* The text of this article was corrected by an additional protocol of the same date, signed by the plenipotentiaries taking part in the conference. The protocol is omitted in order to save space and the text of the correction is inserted in its proper place as the completing paragraph of Article III, so that the convention may appear in its completed and final form without reference to an additional document.

cial hayan dispuesto someterle alguno de los Gobiernos Centro-americanos y el de una nación extranjera.

ARTÍCULO V.

La Corte de Justicia Centro-americana tendrá su asiento en la Ciudad de Cartago, de la República de Costa Rica; pero podrá trasladar accidentalmente su residencia á otro punto de Centro América, cuando, por razones de salubridad, de garantía para el ejercicio de sus funciones, ó de seguridad personal de sus miembros, lo juzgare conveniente.

ARTÍCULO VI.

La Corte de Justicia Centro-americana se organizará con cinco Magistrados, nombrados uno por cada República y escogidos entre los jurisconsultos que tengan las condiciones que las leyes de cada país exijan para el ejercicio de la Alta Magistratura, y gocen de la más elevada consideración; tanto por sus condiciones morales, como por su competencia profesional.

Las vacantes serán llenadas por Magistrados suplentes, nombrados al propio tiempo y del mismo modo que los propietarios y deberán reunir idénticas condiciones á las de éstos.

La concurrencia de los cinco Magistrados que componen el Tri-

ment any one of the Central American Governments and a foreign Government may have determined to submit to it.

ARTICLE V.

The Central American Court of Justice shall sit at the City of Cartago in the Republic of Costa Rica, but it may temporarily transfer its residence to another point in Central America whenever it deems it expedient for reasons of health, or in order to insure the exercise of its functions, or of the personal safety of its members.

ARTICLE VI.

The Central American Court of Justice shall consist of five Justices, one being appointed by each Republic and selected from among the jurists who possess the qualifications which the laws of each country prescribe for the exercise of high judicial office, and who enjoy the highest consideration, both because of their moral character and their professional ability.

Vacancies shall be filled by substitute Justices, named at the same time and in the same manner as the regular Justices and who shall unite the same qualifications as the latter.

The attendance of the five justices who constitute the Tribunal

bunal es indispensable para que haya quorum legal en las resoluciones de la Corte.

is indispensable in order to make a legal quorum in the decisions of the Court.

ARTÍCULO VII.

El Poder Legislativo de cada una de las cinco Repúblicas contratantes nombrará sus respectivos Magistrados, un propietario y dos suplentes.

El sueldo de cada Magistrado será el de ocho mil pesos anuales, en oro americano, que se les pagará por la Tesorería de la Corte. El sueldo del Magistrado del lugar donde la Corte resida será señalado por el respectivo Gobierno. Además, cada Estado contribuirá con dos mil pesos oro anuales para los gastos ordinarios y extraordinarios del Tribunal. Los Gobiernos de las Repúblicas contratantes se obligan á consignar las partidas respectivas en sus presupuestos de erogaciones y á remitir por trimestres adelantados á la Tesorería de la Corte la parte que por tales servicios les corresponda.

ARTICLE VII.

The Legislative Power of each one of the five contracting Republics shall appoint their respective Justices, one regular and two substitutes.

The salary of each Justice shall be eight thousand dollars, gold, per annum, which shall be paid them by the Treasury of the Court. The salary of the Justice of the country where the Court resides shall be fixed by the Government thereof. Furthermore each State shall contribute two thousand dollars, gold, annually toward the ordinary and extraordinary expenses of the Tribunal. The Governments of the contracting Republics bind themselves to include their respective contributions in their estimates of expenses and to remit quarterly in advance to the Treasury of the Court the share they may have to bear on account of such services.

ARTÍCULO VIII.

Los Magistrados propietarios y suplentes serán nombrados para un período de cinco años, que se contará desde el día en que tomen posesión de sus cargos, y pueden ser reelectos.

En caso de fallecimiento, re-

ARTICLE VIII.

The regular and substitute Justices shall be appointed for a term of five years, which shall be counted from the day on which they assume the duties of their office, and they may be reelected.

In case of death, resignation or

nuncia ó incapacidad permanente de cualquiera de ellos, se procederá á su reemplazo por la respectiva Legislatura, y el Magistrado electo continuará el período de su predecesor.

ARTÍCULO IX.

Los Magistrado propietarios y suplentes prestarán el juramento ó la protesta de Ley ante la autoridad que los hubiere nombrado, y desde este momento gozarán de las inmunidades y prerrogativas que por la presente Convención se les confiere. Los propietarios gozarán también, desde entonces, del sueldo asignado en el Artículo VII.

ARTÍCULO X.

Mientras permanezcan en el país de su nombramiento, los Magistrados propietarios y suplentes gozarán de la inmunidad personal que las respectivas leyes otorguen á los Magistrados de la Suprema Corte de Justicia, y en las otras Repúblicas contratantes tendrán los privilegios é inmunidades de los Agentes Diplomáticos.

ARTÍCULO XI.

El cargo de Magistrado en funciones es incompatible con el ejercicio de su profesión y con el desempeño de cargos públicos. La misma incompatibilidad se esta-

permanent incapacity of any of them, the vacancy shall be filled by the respective Legislature, and the Justice elected shall complete the term of his predecessor.

ARTICLE IX.

The regular and substitute Justices shall take oath or make affirmation prescribed by law before the authority that may have appointed them, and from that moment they shall enjoy the immunities and prerogatives which the present Convention confers upon them. The regular Justices shall likewise enjoy thenceforth the salary fixed in Article VII.

ARTICLE X.

Whilst they remain in the country of their appointment the regular and substitute Justices shall enjoy the personal immunity which the respective laws grant to the magistrates of the Supreme Court of Justice, and in the other contracting Republics they shall have the privileges and immunities of Diplomatic Agents.

ARTICLE XI.

The office of Justice whilst held is incompatible with the exercise of his profession, and with the holding of public office. The same incompatibility applies to the sub-

blece para los Magistrados suplentes por el tiempo que ejerzan efectivamente sus funciones.

ARTÍCULO XII.

En su primera sesión anual, la Corte elegirá entre los Magistrados de su seno un Presidente y un Vice-Presidente; organizará el personal de su oficina, con la designación de un Secretario, un Tesorero y los demás empleados subalternos que juzgue necesarios; y fijará su presupuesto de gastos.

ARTÍCULO XIII.

La Corte de Justicia Centro-americana representa la conciencia nacional de Centro América, y en tal virtud los Magistrados que componen el Tribunal no podrán considerarse inhibidos del ejercicio de sus funciones por el interés que puedan tener en algún caso ó cuestión las Repúblicas de donde se derive su nombramiento. En cuanto á implicaciones y recusaciones, las ordenanzas de procedimiento que la Corte dictare dispondrán lo conveniente.

ARTÍCULO XIV.

Cuando ocurran diferencias ó cuestiones sujetas á la competencia del Tribunal, la parte interesada deberá presentar demanda que

stitute Justices so long as they may actually perform their duties.

ARTICLE XII.

At its first annual session the Court shall elect from among its own members a President and Vice-President; it shall organize the personnel of its office by designating a Clerk, a Treasurer, and such other subordinate employees as it may deem necessary, and it shall draw up the estimate of its expenses.

ARTICLE XIII.

The Central American Court of Justice represents the national conscience of Central America, wherefore the Justices who compose the Tribunal shall not consider themselves barred from the discharge of their duties because of the interest which the Republics, to which they owe their appointment, may have in any case or question. With regard to allegations of personal interest, the rules of procedure which the Court may fix, shall make proper provision.

ARTICLE XIV.

When differences or questions subject to the jurisdiction of the Tribunal arise, the interested party shall present a complaint which

comprenda todos los puntos de hecho y de derecho relativos al asunto y todas las pruebas pertinentes. El Tribunal comunicará, sin pérdida de tiempo, el libelo de demanda á los Gobiernos ó particulares interesados y los invitará á que presenten sus alegaciones y probanzas dentro del término que se les señale, que, en ningún caso, excederá de sesenta días contados desde la notificación de la demanda.

ARTÍCULO XV.

Si transcurriere el término señalado sin que se haya contestado la demanda, la Corte requerirá al demandado ó demandados para que lo verifiquen dentro de un nuevo término pue no podrá exceder de veinte días, vencido el cual y en vista de las pruebas presentadas, y de las que de oficio haya creído conveniente obtener el Tribunal, dictará el fallo correspondiente, que será definitivo.

ARTÍCULO XVI.

Si el Gobierno, Gobiernos ó particulares demandados hubieren acudido en tiempo ante la Corte, presentando sus alegaciones y probanzas, ésta fallará el asunto dentro de los treinta días siguientes, sin más trámite ni diligencia; pero si se solicitare un nuevo plazo

shall comprise all the points of fact and law relative to the matter, and all pertinent evidence. The Tribunal shall communicate without loss of time a copy of the complaint to the Governments or individuals interested, and shall invite them to furnish their allegations and evidence within the term that it may designate to them, which, in no case, shall exceed sixty days counted from the date of notice of the complaint.

ARTICLE XV.

If the term designated shall have expired without answer having been made to the complaint, the Court shall require the complainant or complainants to do so within a further term not to exceed twenty days, after the expiration of which and in view of the evidence presented and of such evidence as it may *ex officio* have seen fit to obtain, the Tribunal shall render its decision in the case, which decision shall be final.

ARTICLE XVI.

If the Government, Governments, or individuals sued shall have appeared in time before the Court, presenting their allegations and evidence, the Court shall decide the matter within thirty days following, without further process or proceedings; but if a new term

para presentar otras pruebas, la Corte decidirá si es oportuno ó no concederlo; y, en caso afirmativo, señalará para ello un término prudente. Vencido este término, la Corte pronunciará su fallo definitivo, dentro de treinta días.

for the presentation of evidence be solicited, the Court shall decide whether or not there is occasion to grant it; and in the affirmative it shall fix therefor a reasonable time. Upon the expiration of such term, the Court shall pronounce its final judgment within thirty days.

ARTÍCULO XVII.

Cada uno de los Gobiernos ó particulares á quienes directamente conciernan las cuestiones que van á tratarse en la Corte, tiene derecho para hacerse representar ante ella por persona ó personas de su confianza, que presenten pruebas, formulen alegatos y promuevan, en los términos fijados por esta Convención y por las ordenanzas de la Corte de Justicia, todo lo que á su juicio sea conducente á la defensa de los derechos que representan.

ARTICLE XVII.

Each one of the Governments or individuals directly concerned in the questions to be considered by the Court has the right to be represented before it by a trustworthy person or persons, who shall present evidence, formulate arguments, and shall, within the terms fixed by this Convention and by the rules of the Court of Justice do everything that in their judgment shall be beneficial to the defense of the rights they represent.

ARTÍCULO XVIII.

Desde el momento en que se inicie alguna reclamación contra uno ó más Gobiernos hasta el en que se falle definitivamente, la Corte podrá fijar la situación en que deban permanecer las Partes contendientes, á solicitud de cualquiera de ellas, á fin de no agravar el mal, y de que las cosas se conserven en el mismo estado mientras se pronuncia el fallo definitivo.

ARTICLE XVIII.

From the moment in which any suit is instituted against any one or more governments up to that in which a final decision has been pronounced, the court may at the solicitation of any one of the parties fix the situation in which the contending parties must remain, to the end that the difficulty shall not be aggravated and that things shall be conserved in *statu quo* pending a final decision.

ARTÍCULO XIX.

Para todos los efectos de esta Convención, la Corte de Justicia Centroamericana podrá dirigirse á los Gobiernos ó tribunales de justicia de los Estados contratantes, por el órgano del Ministerio de Relaciones Exteriores ó de la Secretaría de la Corte Suprema de Justicia del respectivo país, según la naturaleza de la diligencia que haya de practicarse, á fin de hacer ejecutar las providencias que dictare en la esfera de sus atribuciones.

ARTÍCULO XX.

También podrá nombrar Comisionados Especiales para la práctica de las referidas diligencias, cuando lo juzgue así oportuno, para su mejor cumplimiento. En tal caso, solicitará del Gobierno donde vaya á practicarse la diligencia su cooperación y auxilio, para que el Comisionado cumpla su cometido. Los Gobiernos contratantes se comprometen formalmente á obedecer y hacer que se obedezcan las providencias de la Corte, prestando todos los auxilios que sean necesarios para su mejor y más pronta ejecución.

ARTÍCULO XXI.

La Corte de Justicia Centroamericana juzgará acerca de los puntos de hecho que se ventilen

ARTICLE XIX.

For all the effects of this Convention, the Central American Court of Justice may address itself to the Governments or tribunals of justice of the contracting States, through the medium of the Ministry of Foreign Relations or the office of the Clerk of the Supreme Court of Justice of the respective country, according to the nature of the requisite proceeding, in order to have the measures that it may dictate within the scope of its jurisdiction carried out.

ARTICLE XX.

It may also appoint special commissioners to carry out the formalities above referred to, when it deems it expedient for their better fulfillment. In such case, it shall ask of the Government where the proceeding is to be had, its cooperation and assistance, in order that the Commissioner may fulfill his mission. The contracting Governments formally bind themselves to obey and to enforce the orders of the Court, furnishing all the assistance that may be necessary for their best and most expeditious fulfillment.

ARTICLE XXI.

In deciding points of fact that may be raised before it, the Central American Court of Justice

según su libre apreciación; y en cuanto á los de derecho, conforme á los principios del derecho internacional. La sentencia definitiva comprenderá cada uno de los puntos en litigio.

ARTÍCULO XXII.

La Corte tiene facultad para determinar su competencia interpretando los Tratados y Convenciones pertinentes al asunto en disputa y aplicando los principios del derecho internacional.

ARTÍCULO XXIII.

Toda resolución definitiva ó interlocutoria deberá dictarse mediante el acuerdo, por lo menos, de tres de los Magistrados del Tribunal. En caso de desacuerdo, se llamará por sorteo á uno de los Magistrados suplentes, y si aun así no se obtuviere la mayoría de tres, se continuará sorteando otros suplentes, hasta obtener tres votos uniformes.

ARTÍCULO XXIV.

Las sentencias deberán ser consignadas por escrito y contener una exposición de los motivos en que se funden. Deberán ser firmadas por todos los Magistrados del Tribunal y autorizadas por el Secretario. Una vez que hayan sido notificados, no podrán alterarse por ningún motivo; pero,

shall be governed by its free judgment, and with respect to points of law, by the principles of international law. The final judgment shall cover each one of the points in litigation.

ARTICLE XXII.

The Court is competent to determine its jurisdiction, interpreting the Treaties and Conventions germane to the matter in dispute, and applying the principles of international law.

ARTICLE XXIII.

Every final or interlocutory decision shall be rendered with the concurrence of at least three of the Justices of the Court. In case of disagreement, one of the substitute Justices shall be chosen by lot, and if still a majority of three be not thus obtained other Justices shall be successively chosen by lot until three uniform votes shall have been obtained.

ARTICLE XXIV.

The decisions must be in writing and shall contain a statement of the reasons upon which they are based. They must be signed by all the Justices of the Court and countersigned by the Clerk. Once they have been notified they can not be altered on any account; but, at the request of any of the

á pedimento de cualquiera de las Partes, podrá el Tribunal declarar la interpretación que deba darse á sus fallos.

ARTÍCULO XXV.

Los fallos de la Corte se comunicarán á los cinco Gobiernos de las Repúblicas contratantes. Los interesados se comprometen á someterse á dichos fallos; y todos á prestar el apoyo moral que sea necesario para que tengan su debido cumplimiento, constituyendo en esta forma una garantía real y positiva de respeto á esta Convención y á la Corte de Justicia Centroamericana.

ARTÍCULO XXVI.

Queda autorizado el Tribunal para acordar su reglamento, para dictar las ordenanzas de procedimiento que sean necesarias y para la determinación de formas y plazos que no se hayan prescrito en la presente Convención. Todas las disposiciones que se dicten sobre el particular se comunicarán inmediatamente á las Altas Partes Contratantes.

ARTÍCULO XXVII.

Las Altas Partes Contratantes declaran que por ningún motivo ni en caso alguno darán por ca-

parties, the Tribunal may declare the interpretation which must be given to its judgments.

ARTICLE XXV.

The judgments of the Court shall be communicated to the five Governments of the contracting Republics. The interested parties solemnly bind themselves to submit to said judgments, and all agree to lend all moral support that may be necessary in order that they may be properly fulfilled, thereby constituting a real and positive guarantee of respect for this Convention and for the Central American Court of Justice.

ARTICLE XXVI.

The Court is empowered to make its rules, to formulate the rules of procedure which may be necessary, and to determine the forms and terms not prescribed in the present Convention. All the decisions which may be rendered in this respect shall be communicated immediately to the High Contracting Parties.

ARTICLE XXVII.

The High Contracting Parties solemnly declare that on no ground nor in any case will they

ducada la presente Convención; y que, en consecuencia, la considerarán siempre vigente durante el término de diez años, contados desde la última ratificación. En el evento de que se cambie ó altere la forma política de alguna ó algunas de las Repúblicas contratantes, se suspenderán *ipso facto* las funciones de la Corte de Justicia Centroamericana; y se convocará desde luego, por los respectivos Gobiernos, una Conferencia para ajustar la constitución de dicha Corte al nuevo orden de cosas; y en caso de no llegar por unanimidad á un acuerdo, se tendrá por rescindida la presente Convención.

ARTÍCULO XXVIII.

El canje de ratificaciones de la presente Convención se hará de conformidad con el Artículo XXI del Tratado General de Paz y Amistad concluido en esta fecha.

ARTÍCULO TRANSITORIO.

Como recomendación de las cinco Delegaciones, se agrega un Artículo anexo que contiene una ampliación de las facultades de la Corte de Justicia Centroamericana, para que las Legislaturas que lo estimen conveniente puedan incluirlo en esta Convención, al ratificarla.

consider the present Convention as void; and that, therefore, they will consider it as being always in force during the term of ten years counted from the last ratification. In the event of the change or alteration of the political status of one or more of the Contracting Republics, the functions of the Central American Court of Justice created by this Convention shall be suspended *ipso facto*; and a conference to adjust the constitution of said Court to the new order of things shall be forthwith convoked by the respective Governments; in case they do not unanimously agree the present Convention shall be considered as rescinded.

ARTICLE XXVIII.

The exchange of ratifications of the present Convention shall be made in accordance with Article XXI of the General Treaty of Peace and Amity concluded on this date.

PROVISIONAL ARTICLE.

As recommended by the five Delegations an Article is annexed which contains an amplification of the jurisdiction of the Central American Court of Justice, in order that the Legislatures may, if they see fit, include it in this Convention upon ratifying it.

ARTÍCULO ANEXO.

La Corte de Justicia Centro-americana conocerá también de los conflictos que pueda haber entre los Poderes Legislativo, Ejecutivo y Judicial, y cuando de hecho no se respeten los fallos judiciales ó las resoluciones del Congreso Nacional.

Firmada en la ciudad de Washington, á los veinte días de Diciembre de mil novecientos siete.

ANNEXED ARTICLE.

The Central American Court of Justice shall also have jurisdiction over the conflicts which may arise between the Legislative, Executive and Judicial Powers, and when as a matter of fact the judicial decisions and resolutions of the National Congress are not respected.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

Convención de Extradición.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, deseando confirmar sus amistosas relaciones y promover la causa de la justicia, han resuelto celebrar una Convención para la extradición de los prófugos de la misma, y, al efecto, han nombrado Delegados:

[Nombres de los delegados.]

Extradition Convention.

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, desiring to confirm their friendly relations and to promote the cause of justice, have resolved to celebrate a Convention for the extradition of fugitives from justice, and to that end have named as delegates:

[Names of delegates.]

ARTÍCULO I.

Las Repúblicas Contratantes convienen en entregarse recíprocamente los individuos que se refugien en el territorio de cada un de ellas, y que en la otra hubieren sido condenados como autores, cómplices ó encubridores de

ARTICLE I.

The Contracting Republics agree to deliver up reciprocally the individuals who may take refuge in the territory of one of them and who in the other may have been condemned as authors, accomplices, or abettors of a crime, to a pen-

un delito, á una pena no menor de dos años de la privación de la libertad, ó que estuvieren procesados por un delito que, conforme á las leyes del país que hace el requerimiento, merezca una pena igual ó mayor que la expresada.

ARTÍCULO II.

No se concederá la extradición en ninguno de los casos siguientes:

1. Cuando la prueba de la delincuencia presentada por la parte requeriente no justifique, conforme á las leyes del lugar donde se encuentre el prófugo enjuiciado, su aprehensión y enjuiciamiento, en caso de que el delito se hubiere cometido allí.

2. Cuando el delito imputado sea de carácter político, ó siendo común, fuere conexo con éste.

3. Cuando, conforme á las leyes del país reclamante ó las del asilo, hubieren prescrito la acción ó la pena.

4. Si el reo reclamado hubiere sido ya juzgado y sentenciado por el mismo acto en la República donde reside.

5. Si en ésta, el hecho por que se pide la extradición no fuere considerado como delito.

6. Cuando la pena que correspondiere al delito por que se pide la extradición fuere la de muerte,

alty of not less than two years of deprivation of their liberty, or who may have been indicted for a crime which, in accordance with the laws of the demanding country, carries a penalty equal to or greater than that above stated.

ARTICLE II.

Extradition shall not be granted in any of the following cases:

1. When the evidence of criminality presented by the demanding party would not justify, according to the laws of the place where the fugitive so charged is found, his apprehension and commitment for trial, if the offense had been there committed.

2. When the offense charged is of a political character, or, being a common crime, is connected therewith.

3. When under the laws of the demanding country or of that of asylum, the action or the penalty has been barred.

4. If the accused demanded should have been already tried and sentenced for the same act in the Republic wherein he resides.

5. If in the latter, the act because of which extradition is requested should not be considered a crime.

6. When the penalty corresponding to the crime for which extradition is requested shall be that of

á no ser que el Gobierno que hace la solicitud se comprometiere á aplicar la inmediata inferior.

death, unless the demanding Government binds itself to apply the next lower penalty.

ARTÍCULO III.

La persona cuya extradición se haya concedido, con motivo de uno de los delitos mencionados en el Artículo I, en ningún caso será juzgada y castigada en el país á que se hace la entrega por un delito político cometido antes de su extradición, ni por un acto que tenga atinencia con un delito político. No se considerará delito político el atentado contra la vida del Jefe de un Gobierno, ni los atentados anarquistas, siempre que la ley de los países requeriente y requerido haya fijado pena para dichos actos. En este caso la extradición se concederá aún cuando el delito de que se trata tuviere una pena menor de dos años de prisión.

ARTICLE III.

The person whose extradition is conceded, because of one of the crimes mentioned in Article I, shall in no case be tried and punished in the country to which he is surrendered for a political crime committed before his extradition nor for an act which may have connection with a political crime. The attempt against the life of the head of the Government or anarchistical attempts shall not be considered a political crime, provided that the law of the demanding country and of the country of which extradition is requested shall have fixed a penalty for said acts. In that case extradition shall be granted, even when the crime in question shall carry a penalty of less than two years of imprisonment.

ARTÍCULO IV.

Las Altas Partes Contratantes no estarán en la obligación de entregar á sus nacionales; pero deberán enjuiciarlos por las infracciones de la ley penal cometidas en cualquiera de las otras Repúblicas; y el Gobierno respectivo deberá comunicar las diligencias, informaciones y documentos correspondientes, remitir los objetos

ARTICLE IV.

The High Contracting Parties shall not be obliged to deliver their nationals; but they must try them for the infractions of the Penal Code committed in any of the other Republics, and the respective government must communicate the corresponding proceedings, information, and documents, and deliver the articles

que revelen el cuerpo del delito y suministrar todo lo que conduzca al esclarecimiento necesario para la expedición del proceso. Verificado esto, la causa se continuará hasta su terminación, y el Gobierno del país del juzgamiento informará al otro del resultado definitivo.

ARTÍCULO V.

Si el individuo de cuya extradición se trata estuviere enjuiciado ó hubiere sido condenado en el país del asilo por delito cometido en él, no será entregado sino después de haber sido absuelto por sentencia firme, y, en caso de condenación, después de haber extinguido la condena ó de haber sido indultado.

ARTÍCULO VI.

Si el prófugo, reclamado por una de las Partes Contratantes, lo fuere también por uno ó más Gobiernos, el reo será entregado de preferencia al que primero lo haya pedido.

ARTÍCULO VII.

El pedimento para la entrega de los prófugos se hará por los respectivos Agentes Diplomáticos de las Partes Contratantes, ó, en caso de estar ausentes del país, ó

which constitute the *corpus delicti*, furnishing everything conducive to the investigation necessary for the expedition of the trial. This having been done, the cause shall continue until its determination, and the government of the country of the trial shall inform the other of the final result.

ARTICLE V.

If the individual whose extradition is sought should have been indicted or should have been found guilty in the country of his asylum for a crime committed therein, he shall not be delivered except after having been acquitted by a final judgment, and in case of his conviction after he has served the sentence or has been pardoned.

ARTICLE VI.

If the fugitive whose extradition is requested by one of the contracting parties should also have been sought by one or more governments he shall be delivered in preference to the one first making the requisition.

ARTICLE VII.

Request for the delivery of fugitives shall be made by the respective diplomatic agents of the contracting parties, or, in their absence from the country or from

de la residencia del Gobierno, podrá hacerse por los Agentes Consulares.

En casos urgentes, se podrá solicitar la detención provisional del inculcado por medio de comunicación telegráfica ó postal, dirigida al Ministerio de Relaciones Exteriores, ó por medio del respectivo Agente Diplomático, ó del Cónsul, en su defecto. El arresto provisional se verificará según las reglas establecidas por las leyes del país requerido; pero cesará, si, en el término de un mes, contado desde que se verificó, no se formalizare la reclamación.

the seat of government, it may be made by consular officers.

In urgent cases the provisional detention of the accused may be requested by means of telegraphic or postal communication, addressed to the ministry of foreign relations, or through the respective diplomatic agent, in his absence, through the consul. The provisional arrest shall be made according to the rules established by the laws of the country of which extradition is requested; but shall cease if the request for extradition has not been formally presented within the term of one month following the arrest.

ARTÍCULO VIII.

En la reclamación se especificará la prueba ó principio de prueba que, por las leyes del país en que se hubiere cometido el delito, sea bastante para justificar la captura y enjuiciamiento del culpable. También deberá acompañarse la sentencia condenatoria, acusación, mandamiento de prisión ó cualquiera otro documento equivalente; y debe indicarse la naturaleza y gravedad de los hechos imputados y las disposiciones penales que les sean aplicables. En caso de fuga, después de estar condenado y antes de haber sufrido totalmente la pena, la reclama-

ARTICLE VIII.

The request for extradition shall specify the evidence or foundation thereof which, by the laws of the country wherein the crime has been committed, shall be sufficient to justify the apprehension and commitment of the accused. The judgment, indictment, warrant of arrest, or any other equivalent document shall also accompany the same; and the nature and gravity of the acts charged, and the provisions of the penal codes which are applicable thereto must be indicated. In case of flight after having been found guilty and before serving the sen-

ción expresará esta circunstancia é irá acompañada únicamente de la sentencia.

ARTÍCULO IX.

La autoridad á quien corresponda hará la aprehensión del prófugo, con el fin de que sea presentado ante la autoridad judicial competente para su examen. Si se decidiere que, conforme á las leyes y pruebas presentadas, procede la entrega, con arreglo á esta Convención, el prófugo será entregado en la forma legal prescrita para estos casos.

ARTÍCULO X.

La persona entregada no podrá ser juzgada ni castigada en el país al cual se ha concedido la extradición, ni puesta en poder de un tercero con motivo de un delito no comprendido en esta Convención, y cometido antes de su entrega, á no ser que el Gobierno que la hace dé su aquiescencia para el enjuiciamiento ó para la entrega á dicha tercera nación.

Sin embargo, este consentimiento no será necesario:

1. Cuando el acusado haya pedido voluntariamente que se le juzgue ó se le entregue á la tercera nación;

2. Cuando haya tenido libertad

tence, the request for extradition shall express these circumstances and shall be accompanied with the judgment only.

ARTICLE IX.

The proper authority shall apprehend the fugitive, to the end that he may be brought before the competent Judicial authority to be examined. If it is decided that according to the laws and the evidence presented the surrender shall be carried out in accordance with this Convention, the refugee shall be delivered in the manner prescribed by law in such cases.

ARTICLE X.

The person delivered can not be tried nor punished in the country to which his extradition has been granted, nor delivered to a third country because of a crime not included in this Convention, and committed before his surrender, unless the Government which makes the surrender consents to the trial, or to the delivery to said third nation.

Nevertheless this consent shall not be necessary:

1. When the accused may voluntarily have requested that he be tried or delivered to the third nation;

2. When he may have been at

para ausentarse del país durante treinta días, por haber sido puesto en libertad por falta de mérito para la acusación por la que se le entregó; ó en caso de haber sido condenado, durante treinta días después de haber cumplido su condena ó de haber obtenido indulto.

ARTÍCULO XI.

Los gastos que causen el arresto, manutención y viaje del individuo reclamado, lo mismo que los de la entrega y transporte de los objetos que, por tener relación con el delito deban restituirse ó remitirse, serán á cargo de la República que solicite la entrega.

ARTÍCULO XII.

Todos los objetos encontrados en poder del acusado y obtenidos por medio de la comisión del acto de que se le acuse, ó que puedan servir de prueba del delito por el cual se pide su extradición, serán secuestrados y entregados con su persona, si así lo ordena la autoridad competente. Sin embargo, se respetarán los derechos de tercero respecto de estos objetos, y no se hará su entrega mientras no se haya resuelto la cuestión de propiedad.

ARTÍCULO XIII.

En todos los casos en que proceda la detención del refugiado,

liberty to leave the country for thirty days, his release having been based on the lack of foundation in the charge for which he was surrendered, or, in case of conviction, a term of thirty days after serving his sentence or obtaining a pardon.

ARTICLE XI.

The expenses of arrest, maintenance, and travel of the claimed person, as well as of the delivery and transportation of the articles which, because of their connection with the crime, have to be returned or forwarded, shall be borne by the demanding Government.

ARTICLE XII.

All the objects found in the possession of the accused and obtained through the commission of the act of which he is accused, or that may serve as evidence of the crime on account of which extradition is requested, shall be confiscated and delivered with his person if the competent authority so orders. Nevertheless the rights of third parties concerning these articles shall be respected, and delivery thereof shall not be made until the question of ownership has been determined.

ARTICLE XIII.

In all cases of detention the fugitive shall be acquainted within

se le hará saber su causa en el término de veinte y cuatro horas y que podrá, dentro de tres días perentorios, contados desde el siguiente al de la notificación, oponerse á la extradición, alegando:

1. Que no es la persona reclamada;
2. Los defectos sustanciales de que adolezcan los documentos presentados; y
3. La improcedencia del pedimento de extradición.

ARTÍCULO XIV.

En los casos en que sea necesaria la comprobación de los hechos alegados, se abrirá el incidente á pruebas, observándose en sus términos las prescripciones de la ley procesal de la República requerida. Producida la prueba, el incidente será resuelto sin más trámite, en el término de diez días, declarando si hay ó no lugar á la extradición. Contra dicha providencia se darán, dentro de los tres días siguientes á su notificación, los recursos legales del país del asilo.

ARTÍCULO XV.

La presente Convención empezará á regir un mes después de la última ratificación, y permanecerá en vigor hasta un año después de que el deseo de ponerle

the term of twenty-four hours with the cause thereof, and notified that he may, within not to exceed three days counted from the one following that of the notification, oppose extradition, by alleging:

1. That he is not the person claimed;
2. Substantial defects in the documents presented; and
3. The inadmissibility of the request for extradition.

ARTICLE XIV.

In cases where it is necessary to prove the facts alleged, evidence shall be taken, in full observance of the provisions of the law of procedure of the Republic of which extradition is requested. The evidence having been produced, the matter shall be decided without further steps, within the period of ten days, and it shall be declared whether or not the extradition shall be granted. Against such a decision, and within three days following notification thereof, the legal remedies of the country of asylum may be invoked.

ARTICLE XV.

The present convention shall take effect one month after the last ratification, and shall continue in effect until one year after notification of a desire to termi-

término haya sido notificado, en debida forma, por uno de los Gobiernos á los otros. En tal caso, continuará vigente entre los demás que no la hubieren denunciado.

nate it shall have been given in due form by one of the Governments to the others. In such case it shall continue in force between the others who have not renounced it.

ARTÍCULO XVI.

Cada Gobierno deberá dar aviso á los demás de la ratificación legislativa de esta Convención dentro de diez días á más tardar de haberse verificado. Ese aviso por notas se tendrá como canje, sin necesidad de formalidad especial.

Firmada en la ciudad de Washington á los veinte días de Diciembre de mil novecientos siete.

ARTICLE XVI.

Each government shall give notice to the others of the legislative ratification of this convention within ten days at the latest after it has taken place. This advice, by notes, shall be considered as an exchange of ratification without the necessity of any special formality.

Signed at the city of Washington on the twentieth of December, one thousand nine hundred and seven.

Convención para el Establecimiento de una Oficina Internacional Centroamericana.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, deseando fomentar los intereses communes de Centro América, han convenido en fundar una Oficina Internacional que se encargue de la vigilancia y cuidado de tales intereses, y, para realizar tan importante objeto, han tenido

Convention for the Establishment of an International Central American Bureau.

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador being desirous to develop the interests common to Central America, have agreed to establish an International Bureau that shall take charge of the supervision and care of such interests, and, in order to attain so important an

á bien celebrar una Convención especial, y al efecto han nombrado Delegados:

[Nombres de los delegados.]

ARTÍCULO I.

Se reconocen como intereses Centroamericanos á los cuales debe dedicarse preferente atención, los siguientes:

1. Concurrir con todos sus esfuerzos á la reorganización pacífica de la Patria Centroamericana;

2. Imprimir en la enseñanza popular un carácter esencialmente Centroamericano, en sentido uniforme, haciéndola lo más amplia, práctica y completa que sea posible, y de acuerdo con la tendencia pedagógica moderna;

3. El desarrollo del comercio Centroamericano y de cuanto tienda á hacerlo más activo y provechoso, lo mismo que á extenderlo en sus relaciones con las demás naciones;

4. El incremento de la agricultura y de las industrias que puedan desarrollarse con provecho en sus diversas secciones;

5. La uniformidad de la legislación civil, comercial y penal, debiendo reconocer, como principal fundamento, la inviolabilidad de la vida, el respeto á la propiedad y la consagración más absoluta de los derechos de la persona-

end, have seen fit to conclude a special Convention, and for that purpose have named as Delegates:

[Names of delegates.]

ARTICLE I.

The following Central American interests are recognized as being those to which special attention should be paid:

1. To combine every effort toward the peaceful reorganization of their mother country, Central America.

2. To impress upon public education an essentially Central American character, in a uniform sense, making it as broad, practical, and complete as possible, in accordance with the modern pedagogical tendency.

3. The development of Central American Commerce and of all that may tend to make it more active and profitable, and its expansion with other nations.

4. The advancement of agriculture and industries that can be developed to advantage in its different sections.

5. The uniformity of civil, commercial, and criminal legislation, recognizing as a fundamental principle the inviolability of life, respect for property, and the most absolute sacredness of the personal rights of man; uniformity in the

lidad humana; la del sistema de aduanas; la del sistema monetario, de modo que asegure un tipo de cambio fijo; la sanidad general y especialmente la de los puertos Centroamericanos; el afianzamiento del crédito de Centro América; la uniformidad del sistema de pesas y medidas, y la constitución de la propiedad raíz de tal manera firme é indiscutible que pueda servir de base sólida al crédito y permitir el establecimiento de bancos hipotecarios.

ARTÍCULO II.

Para los fines indicados anteriormente, los Gobiernos signatarios se comprometen á establecer una Oficina Internacional Centroamericana, formada por un delegado de cada una de ellas.

ARTÍCULO III.

La Presidencia de la Oficina deberá ejercerse alternativamente entre los miembros que la compongan, siguiéndose al efecto el orden alfabético de los Estados contratantes.

ARTÍCULO IV.

Las funciones de la Oficina serán todas aquellas que se consideren necesarias y convenientes para la realización de los intereses que se le encomiendan por el pre-

system of custom-houses; in the monetary system, in such manner as to secure a fixed rate of exchange; general sanitation, and especially that of the Central American ports; confidence in the Central American credit; uniformity in the system of weights and measures; the definition of what constitutes real property, in such a firm and unquestionable manner as will serve as a solid foundation for credit and permit the establishment of mortgage banks.

ARTICLE II.

For the purposes hereinbefore mentioned the signatory Governments bind themselves to establish an International Central American Bureau, composed of one delegate from each one of them.

ARTICLE III.

The Presidency of the Bureau shall be exercised alternatively by the members that compose it, the alphabetical order of the contracting States being followed for that purpose.

ARTICLE IV.

The functions of the Bureau shall be all those considered necessary and expedient to achieve the objects placed in its care by the present agreement, and to

sente convenio; y, al efecto, ella misma deberá detallarlas en los reglamentos que dicte, pudiendo tomar todas las disposiciones de orden interior que conduzcan á llenar debidamente la misión de mantener y desarrollar los intereses Centroamericanos que se ponen bajo su cuidado y vigilancia.

Para obtener este fin, los Gobiernos contratantes se comprometen á prestar á la Oficina todo el apoyo y protección necesarios para el buen desempeño de su objeto.

ARTÍCULO V.

La Oficina deberá dirigir cada seis meses, á cada uno de los Gobiernos signatarios, un informe detallado de las labores realizadas en el semestre transcurrido.

ARTÍCULO VI.

La Oficina residirá en la ciudad de Guatemala y se procurará instalarla lo más tarde el día 15 de Setiembre del año entrante de 1908.

ARTÍCULO VII.

Los agentes diplomáticos y consulares de los Gobiernos contratantes deberán prestar á la Oficina todo el concurso que ella les pida, suministrándole cuantos datos, informes y noticias necesite y

that end the office shall enumerate them in the rules that it may establish, being empowered to make all provisions of internal regulation that may be conducive to the proper fulfillment of the mission of maintaining and developing the Central American interests that may be placed under its care and supervision.

In order to attain this end the contracting governments bind themselves to lend to the Bureau all the support and protection necessary for the proper fulfillment of its object.

ARTICLE V.

The Bureau shall every six months send to each of the signatory Governments a detailed report of the work accomplished in the preceding half-year.

ARTICLE VI.

The Bureau shall be located in the city of Guatemala, and effort shall be made to install it at the latest on September 15 of the coming year 1908.

ARTICLE VII.

The diplomatic and consular agents of the contracting Governments shall lend all the assistance that the Bureau may ask of them, furnishing it with all the needed data, reports, and information and

debiendo cumplir las comisiones y encargos que tenga á bien encomendarles.

ARTÍCULO VIII.

Los gastos que ocasione el mantenimiento de la Oficina serán pagados por partes iguales por los Estados signatarios.

ARTÍCULO IX.

La Oficina deberá tener un órgano de publicidad par sus trabajos y procurará mantener relaciones con los demás centros de índole análoga, particularmente con la Oficina Internacional de las Repúblicas Americanas establecida en Washington.

ARTÍCULO X.

La Oficina será órgano de inteligencia entre los países signatarios, elevará á los Gobiernos respectivos las comunicaciones, informes y memorias que estime necesarias para el desarrollo de las relaciones é intereses que le están encomendados.

ARTÍCULO XI.

La presente Convención durará quince años, prorrogables á voluntad de las Altas Partes Contratantes.

Firmada en la ciudad de Washington, á los veinte días de Diciembre de mil novecientos siete.

shall fulfill the commissions and requests that it may see fit to entrust to them.

ARTICLE VIII.

The expenses incident to the maintenance of the Bureau shall be paid in equal parts by the signatory Powers.

ARTICLE IX.

The Bureau shall have an organ of publicity in connection with its work, and shall endeavor to maintain intercourse with other offices of a like nature, particularly with the International Bureau of the American Republics established in Washington.

ARTICLE X.

The Bureau shall be a medium of intelligence among the signatory countries and shall send the respective governments the communications, information, and reports that it may deem necessary for the development of the relations and interests with which it is entrusted.

ARTICLE XI.

The present Convention shall remain in force for fifteen years, and may be extended at the will of the High Contracting Parties.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

Convención para el Establecimiento de un Instituto Pedagógico Centroamericano.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, reconociendo como de la mayor importancia y trascendencia para informar la enseñanza en un espíritu de centroamericanismo y encaminarla uniformemente por los derroteros que marca la Pedagogía moderna, y animados del deseo de hacer efectivo y práctico ese reconocimiento, han dispuesto celebrar una Convención, y al efecto han nombrado Delegados:

[Nombres de los delegados.]

ARTÍCULO I.

Las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, animadas del deseo de establecer un servicio de educación común, esencialmente homogéneo y que propenda á la unificación moral é intelectual de estos países hermanos, han convenido en fundar, á expensas y en provecho de todas, un Instituto Pedagógico, con sección de hombres y mujeres, para la educación profesional del magisterio. Costa Rica será el asiento del establecimiento.

Convention for the Establishment of a Central American Pedagogical Institute.

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, recognizing it as of the greatest importance and consequence to model public instruction on a spirit of Central-Americanism and to direct it uniformly along the lines which modern pedagogy establishes, and being animated by the desire to make this recognition effective and practical, have decided to conclude a convention, and to that end have named as Delegates:

[Names of delegates.]

ARTICLE I.

The Republics of Costa Rica, Guatemala, Honduras, Nicaragua and Salvador, animated by the desire of establishing a common, essentially homogeneous system of education, which shall tend toward the moral and intellectual unification of these sister countries, have agreed to found, at the expense and to the advantage of all, a Pedagogical Institute, with a division for men and for women, for the professional education of teachers. Costa Rica shall be the seat of the institute.

ARTÍCULO II.

Es entendido que, en punto á personal docente, edificios, mobiliario y material científico, el Instituto Pedagógico estará á la altura de los mejores de su clase.

ARTICLE II.

It is understood that with regard to its staff of teachers, buildings, furnishings, and scientific apparatus the Pedagogical Institute shall be of as high a grade as the best institutes of its class.

ARTÍCULO III.

La instalación, organización y administración económica, así como el control general del establecimiento, corresponden al Gobierno de Costa Rica; pero los otros Gobiernos interesados podrán, cuando lo estimen conveniente, nombrar un delegado al consejo directivo del mismo. El Gobierno de Costa Rica comunicará anualmente á los otros Gobiernos la marcha y estado del establecimiento.

ARTICLE III.

The installation, organization, and economical administration, as also the general control of the establishment, shall pertain to the Government of Costa Rica; but the other interested Governments shall have the right, when they consider it expedient, to name a representative on the executive board of the same. The Government of Costa Rica shall communicate annually to the other Governments the progress and condition of the establishment.

ARTÍCULO IV.

Cada República tiene derecho á mantener hasta cien normalistas en el Instituto Pedagógico — cincuenta de cada sexo — pero no dejará de enviar, por lo menos, veinte de cada sexo.

ARTICLE IV.

Each Republic has the right to maintain as many as one hundred students in the Pedagogical Institute, fifty of each sex, but shall not send less than twenty of each sex.

ARTÍCULO V.

Calculado el presupuesto de gastos extraordinarios de instalación, en los cuales entran los edificios, el mobiliario y el material científico, la traída del personal

ARTICLE V.

The estimate of extraordinary expenses of installation, in which shall be included the buildings, the furnishings, the scientific equipment, the transportation of

docente, etc., se comunicará á los Gobiernos interesados, cada uno de los cuales pondrá á la disposición del de Costa Rica la cuota que le corresponda como contribución.

En vista del progresivo ensanche y desarrollo del Instituto Pedagógico Centroamericano, el Gobierno de Costa Rica queda facultado para construir edificios especiales, situados fuera de los grandes centros de población, en lugares sanos, frescos y propicios para el trabajo intelectual.

ARTÍCULO VI.

En cuanto á los gastos ordinarios de sueldos, internado, administración, etc., serán abonados á Costa Rica al comienzo de cada ejercicio lectivo.

ARTÍCULO VII.

La Liga Pedagógica aquí convenida — primer paso en el sentido de la unificación de los sistemas de enseñanza — durará quince años, prorrogables á voluntad de las Altas Partes Contratantes.

ARTÍCULO VIII.

Esta Convención será ratificada por notas cambiadas entre los Gobiernos interesados; y una vez

the professorial staff, etc., having been made, it shall be communicated to the Governments interested, each one of which shall place its respective quota at the disposal of the Government of Costa Rica.

In view of the progressive expansion and development of the Central American Pedagogical Institute, the Government of Costa Rica is authorized to construct special buildings, removed from the great centers of population, in cool, healthy places appropriate for intellectual work.

ARTICLE VI.

With regard to the ordinary expenses of salaries, board, administration, etc., they shall be paid to Costa Rica at the beginning of each school year.

ARTICLE VII.

The Pedagogical League hereby agreed to — the first step toward the unification of the systems of education — shall continue in existence fifteen years, and may be extended at the will of the High Contracting Parties.

ARTICLE VIII.

This Convention shall be ratified by means of notes exchanged among the Governments inter-

ratificada, se pondrá en vigor, sin pérdida de tiempo.

Firmada en la ciudad de Washington, á los veinte días de Diciembre de mil novecientos siete.

ested; and once ratified, it shall take effect without loss of time.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

Convención Sobre Futuras Conferencias Centroamericanas.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua, y el Salvador, deseando promover la unificación y armonía de sus intereses, como uno de los medios más eficaces para preparar la fusión de los pueblos centroamericanos en una sola nacionalidad, han convenido en celebrar una Convención para el nombramiento de Comisiones y para la reunión de Conferencias Centroamericanas que acuerden las medidas más oportunas y convenientes á fin de uniformar sus intereses económicos y fiscales; y al efecto han nombrado Delegados:

[Nombres de los delegados.]

ARTÍCULO I.

Cada uno de los Gobiernos contratantes se compromete á nombrar dentro de un mes, contado de la última ratificación del pre-

Convention Concerning Future Central American Conferences.

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, desiring to promote the unification and harmony of their interests, as one of the most efficacious means to prepare for the fusion of the Central American peoples into one single nationality, have agreed to conclude a Convention for the naming of Commissions and for the meeting of Central American Conferences, which shall agree upon the most efficacious and proper means to the end of bringing uniformity into their economical and fiscal interests; and to that end have named as Delegates:

[Names of delegates.]

ARTICLE I.

Each one of the contracting Governments obligates itself to name within one month, counted from the last ratification of this

sente Convenio, una ó más Comisiones que se ocupen de preferencia en el estudio de todo lo concerniente al sistema monetario de su respectivo país, especialmente en relación con el de los otros Estados, y con el intercambio entre ellos; y, además, en el estudio de todo lo relativo á los sistemas de aduanas, de pesas y medidas y de otras materias de orden económico y fiscal que se juzgue conveniente uniformar en Centro América.

ARTÍCULO II.

Las Comisiones deberán presentar un informe dentro de seis meses después de su nombramiento, y cada Gobierno comunicará ese informe á los demás, excitándolos para que procedan á designar uno ó más delegados que concurren á una Conferencia Centroamericana, la cual se inaugurará el 1 de Enero inmediato, y se ocupará en celebrar una Convención que tenga por objeto acordar las medidas que tiendan á realizar los fines á que se refiere el Artículo I, dando preferencia á lo referente al sistema monetario de las cinco Repúblicas, y procurando establecer en ellas un cambio fijo con relación al oro.

agreement, one or more Commissions, which shall occupy themselves preferably with the study of all that concerns the monetary system of their respective countries, especially in relation to those of the other States, and interchange amongst them; and, besides, the study of everything relating to the custom-house systems, the system of weights and measures, and other matters of an economic and fiscal nature which it may be deemed expedient to make uniform in Central America.

ARTICLE II.

The Commissions shall present a report within six months after their appointment, and each Government shall communicate such report to the others, inviting them to designate forthwith one or more delegates, in order that they may attend a Central American Conference, which shall be inaugurated on the first of the following January, and shall have for its object the conclusion of a Convention for the purpose of defining the means tending to the accomplishment of the ends to which Article I relates, giving preference to what relates to the monetary system of the five Republics and endeavoring to establish therein a fixed rate of exchange with regard to gold.

ARTÍCULO III.

Se continuará celebrando Conferencias anualmente, que se instalarán el día 1 de Enero, para tratar de los puntos comprendidos en el Artículo I de esta Convención que no hayan sido objeto de resolución en la Conferencia anterior; y de los demás asuntos que los Gobiernos tengan á bien someter á dichas Conferencias.

ARTICLE III.

Conferences shall be held annually thereafter, which shall open on the first day of January, in order to treat the questions comprised in Article I of this Convention which have not been settled at the previous Conference; and all the other matters which the Governments may see fit to submit to said Conferences.

ARTÍCULO IV.

La primera Conferencia se reunirá en la ciudad de Tegucigalpa, en la fecha indicada en el Artículo II; y al terminar sus sesiones, designará el lugar en que deba reunirse la próxima Conferencia, y así sucesivamente.

ARTICLE IV.

The first Conference shall meet at the city of Tegucigalpa on the date indicated in Article II; and when its sessions are over it shall designate the place in which the next Conference shall meet, and so on successively.

ARTÍCULO V.

La presente Convención regirá durante cinco años; pero si expirado ese término ninguno de los Gobiernos signatarios la hubiere denunciado, continuará en vigencia hasta seis meses después de que alguna de las Altas Partes Contratantes haya notificado á las otras su resolución de separarse de ella.

Firmada en la ciudad de Washington á los veinte días de Diciembre de mil novecientos siete.

ARTICLE V.

The present Convention shall remain in force for five years, but if at the expiration of that term none of the signatory Governments shall have denounced it, it shall continue in force until six months after one of the High Contracting Parties shall have notified the others of its determination to withdraw from it.

Signed at the City of Washington on the twentieth day of December, one thousand nine hundred and seven.

Convención de Comunicaciones.

Los Gobiernos de las Repúblicas de Costa Rica, Guatemala, Honduras, Nicaragua y el Salvador, deseando contribuir cada una, en la parte que le corresponda, á la realización de la grande obra del Ferrocarril Panamericano, y á fin de realizar tan importante objeto, han tenido á bien celebrar una Convención especial, y al efecto han nombrado Delegados:

[Nombres de los delegados.]

ARTÍCULO I.

Cada Gobierno nombrará una Comisión para que estudie y proponga los medios más á propósito para llevar á efecto la parte de la referida obra dentro de su propio territorio.

ARTÍCULO II.

Las Comisiones, aprovechando los estudios que existen respecto del Ferrocarril Panamericano, y haciendo los más que estimen necesarios, presentarán á sus respectivos Gobiernos informes detallados sobre el número de millas que haya de construirse, las poblaciones y terrenos que deba atravesar la línea, los ramales que convenga unir á la línea principal, el costo de las diferentes secciones y todos los puntos que estime convenientes para el fin propuesto.

Convention on Communications.

The Governments of the Republics of Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, each being desirous to contribute its share towards the realization of the great work of the Pan-American Railway, and, in order to attain so important an end, have seen fit to conclude a special Convention, and to that end have appointed as Delegates:

[Names of delegates.]

ARTICLE I.

Each Government shall appoint a commission, in order that it may study and propose the most suitable measures to carry out the portion of said work within its own territory.

ARTICLE II.

The commissions, availing themselves of the surveys already existing of the Pan American Railway, and making all others that they may deem necessary, shall submit to their respective Governments detailed reports concerning the number of miles which need to be constructed, the towns and lands which the line should cross, the branches which it is advisable to connect to the principal line, the cost of the different sections, and all the measures that it may deem expedient for the end in view.

ARTÍCULO III.

Las mismas Comisiones, al indicar los medios más apropiados para la construcción de los trayectos respectivos, sugerirán, en cuanto sea posible; todo lo conveniente á concesiones de terrenos, privilegios, tarifas, garantías y demás elementos usuales en estos casos.

ARTÍCULO IV.

Una vez aprobados por los Gobiernos dichos informes, se remitirán á la Oficina Internacional de las Repúblicas Americanas en Washington, para que en ella se abra un concurso á fin de obtener las mejores condiciones al celebrar las contratas correspondientes par la construcción de las líneas que se consideren necesarias.

ARTÍCULO V.

La Oficina Internacional, de acuerdo con los Representantes Diplomáticos de las cinco Repúblicas de Centro América, abrirá dicho concurso, dirigiendo sus esfuerzos en primer término á la organización de una ó más compañías que construyan los trayectos indicados, y en caso contrario, á unificar y poner de acuerdo á las diferentes compañías que hayan obtenido ú obtengan concesiones, ó celebrado contratas directamente con los Gobiernos.

ARTICLE III.

The same commissions, when they point out the most suitable measures for the construction of the respective sections, shall suggest, as far as possible, what ought to be done concerning concessions of lands, privileges, tariffs, guarantees, and other points usual in such cases.

ARTICLE IV.

After approval by the Governments, said reports shall be sent to the International Bureau of the American Republics at Washington, so that bids may be solicited, in order to obtain the best conditions in letting the corresponding contracts for the construction of the lines which are considered necessary.

ARTICLE V.

The said International Bureau, together with the Diplomatic Representatives of the five Republics of Central America, shall open said competition, endeavoring in the first place to secure the organization of one or more companies which will construct the sections indicated, and if that be impossible to consolidate and bring to an agreement the different companies that may hold or obtain concessions or contracts directly with the Governments.

ARTÍCULO VI.

Los Gobiernos Contratantes se pondrán de acuerdo con el Gobierno de los Estados Unidos Mexicanos y con el Gobierno de Panamá, para todo lo que se refiera al tránsito de mercaderías y pasajeros de frontera á frontera.

ARTICLE VI.

The contracting governments shall come to an agreement with the Government of the United Mexican States and with the Government of Panama concerning everything that may refer to the transit of merchandise and passengers from border to border.

ARTÍCULO VII.

Las Comisiones serán nombradas en cuanto se apruebe la presente Convención, y el informe se presentará en un término que no exceda de seis meses después de dicho nombramiento.

ARTICLE VII.

The commissions shall be appointed subject to the approval of the present Convention, and the report shall be presented within a term of not to exceed six months after said appointment.

ARTÍCULO VIII.

La presente Convención no será obstáculo par que los Gobiernos celebren directamente las contratas referentes á la construcción de ferrocarriles en sus respectivos países; pero quedan obligados á remitir dichas contratas á la Oficina Internacional, para la unificación ó acuerdo á que se refiere el Artículo V.

ARTICLE VIII.

The present convention shall not preclude the Governments from directly making contracts referring to the construction of railroads in their respective countries; but they must send said contracts to the International Bureau, in view of the consolidation or agreement to which Article V refers.

ARTÍCULO IX.

Los Gobiernos Contratantes se obligan además celebrar los arreglos convenientes para establecer y mejorar los servicios de comunicaciones entre las distintas Repúblicas, tales como líneas de

ARTICLE IX.

The contracting governments, moreover, pledge themselves to make the necessary arrangements to establish and improve the means of communication between the several Republics, such as lines of

vapores, cables submarinos, telégrafos con ó sin hilos, teléfonos, y cuanto pueda conducir á estrechar más sus mutuas relaciones.

Las convenios actuales para el servicio cablegráfico, telegráfico y telefónico continuarán en vigencia mientras los Gobiernos interesados lo crean conveniente.

Firmada en la ciudad de Washington á los veinte días de Diciembre de mil novecientos siete.

steamships, submarine cables, telegraph lines, wireless stations, telephones, and everything that may tend to cement their mutual relations.

The existing agreements, concerning cable, telegraph, and telephone services, shall continue in force so long as the interested Governments deem it convenient.

Signed at the city of Washington on the twentieth day of December, one thousand nine hundred and seven.

OFFICIAL DOCUMENTS

TREATY BETWEEN THE UNITED KINGDOM, FRANCE, GERMANY, NORWAY,
AND RUSSIA RESPECTING THE INDEPENDENCE AND TERRITORIAL INTEGRITY OF NORWAY

Signed at Christiania, November 2, 1907

[Ratifications deposited at Christiania, February 6, 1908.]

[TRANSLATION.¹]

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des Territoires Britanniques au delà des Mers, Empereur des Indes; Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; le Président de la République Française; Sa Majesté le Roi de Norvège; et Sa Majesté l'Empereur de Toutes les Russies, animés du désir d'assurer à la Norvège, dans ses limites actuelles et avec sa zone neutre, son indépendance, et son intégrité territoriale, ainsi que les bénéfices de la paix, ont résolu de conclure un traité à cet effet et ont nommé pour leurs Plénipotentiaires respectifs:

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des Territoires Britanniques au delà des Mers, Empereur des Indes, Mr. W. G. Max Müller, Chargé d'Affaires Britannique à Kristiania;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the German Emperor, King of Prussia; the President of the French Republic; His Majesty the King of Norway; and His Majesty the Emperor of All the Russias, animated by the desire to secure to Norway, within her present frontiers and with her neutral zone, her independence and territorial integrity, as also the benefits of peace, have resolved to conclude a treaty to this effect, and have named as their respective Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Mr. W. G. Max Müller, British Chargé d'Affaires at Christiania;

¹ The treaty was signed in the French language only.

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, M. de Treutler, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Kristiania;

Le Président de la République Française, M. L. Delavaud, Envoyé Extraordinaire et Ministre Plénipotentiaire à Kristiania;

Sa Majesté le Roi de Norvège, M. J. Lövland, son Ministre d'État et Ministre des Affaires Étrangères;

Sa Majesté l'Empereur de Toutes les Russies, M. A. de Kroupensky, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Kristiania;

Lesquels, après s'être communiqué leur pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit:

ARTICLE 1

Le Gouvernement Norvégien s'engage à ne céder à aucune puissance, ni à titre d'occupation, ni à titre d'une disposition quelconque, aucune partie du territoire Norvégien.

ARTICLE 2

Les Gouvernements Allemand, Français, Britannique, et Russe reconnaissent et s'engagent à respecter l'intégrité de la Norvège.

Si l'intégrité de la Norvège est menacée ou lésée par une puissance quelconque, les Gouverne-

His Majesty the German Emperor, King of Prussia, M. de Treutler, his Envoy Extraordinary and Minister Plenipotentiary at Christiania;

The President of the French Republic, M. L. Delavaud, Envoy Extraordinary and Minister Plenipotentiary at Christiania;

His Majesty the King of Norway, M. J. Lövland, his Minister of State and Minister for Foreign Affairs;

His Majesty the Emperor of All the Russias, M. A. de Kroupensky, his Envoy Extraordinary and Minister Plenipotentiary at Christiania;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

ARTICLE 1

The Norwegian Government undertake not to cede any portion of the territory of Norway to any power to hold on a title founded either on occupation or on any other ground whatsoever.

ARTICLE 2

The German, French, British, and Russian Governments recognize and undertake to respect the integrity of Norway.

If the integrity of Norway is threatened or impaired by any power whatsoever, the German,

ments Allemand, Français, Britannique, et Russe s'engagent, après une communication préalable à cet effet de la part du Gouvernement Norvégien, à prêter, par les moyens qui seraient jugés les plus appropriés, leur appui à ce Gouvernement en vue de sauvegarder l'intégrité de la Norvège.

ARTICLE 3

Le présent traité est conclu pour une période de dix ans, à partir du jour de l'échange des ratifications. Si le traité n'est pas dénoncé, de part ou d'autre, au moins deux années avant l'expiration de la dite période, il restera, de la même manière, en vigueur pour une nouvelle période de dix ans et ainsi de suite.

Dans le cas où le traité serait dénoncé par une des Puissances ayant participé, avec la Norvège, à la conclusion du présent traité, cette dénonciation n'aura d'effet qu'à l'égard de cette Puissance.

ARTICLE 4

Le présent traité sera ratifié, et les ratifications seront échangées à Kristiania, le plus tôt possible.

En foi de quoi les Plénipotentiaires ont signé le présent traité et l'ont revêtu de leurs cachets.

French, British, and Russian Governments undertake, on the receipt of a previous communication to this effect from the Norwegian Government, to afford to that Government their support, by such means as may be deemed the most appropriate, with a view to safeguarding the integrity of Norway.

ARTICLE 3

The present treaty is concluded for a period of ten years from the day of the exchange of ratifications. If the treaty is not denounced by any of the parties at least two years before the expiration of the said period, it will remain in force, in the same manner as before, for a further period of ten years, and so on accordingly.

In the event of the treaty being denounced by one of the Powers who have participated with Norway in the conclusion of the present treaty, such denunciation shall have effect only as far as that Power is concerned.

ARTICLE 4

The present treaty shall be ratified and the ratifications shall be exchanged at Christiania as soon as possible.

In witness whereof the Plenipotentiaries have signed the present treaty and have affixed thereto their seals.

Fait à Kristiania, en cinq exemplaires, le 2 November, 1907.

Done in quintuplicate at Christiania, 2nd November, 1907.

[L. s.]

W. G. MAX MÜLLER

[L. s.]

C. VON TREUTLEE

[L. s.]

DELAVAUD

[L. s.]

J. LÖVLAND

[L. s.]

A. KROUPENSKY

[L. s.]

W. G. MAX MÜLLER

[L. s.]

C. VON TREUTLER

[L. s.]

DELAVAUD

[L. s.]

J. LÖVLAND

[L. s.]

A. KROUPENSKY

DECLARATION ON THE SUBJECT OF THE MAINTENANCE OF THE STATUS
QUO IN THE TERRITORIES BORDERING UPON THE BALTIC

Signed at St. Petersburg, April 23, 1908

[TRANSLATION.]

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; Sa Majesté le Roi de Danemark; Sa Majesté l'Empereur de Russie; Sa Majesté le Roi de Suède:

Etant animés du désir de consolider les liens de bon voisinage et d'amitié existant entre leurs Etats respectifs et de contribuer par là au maintien de la paix générale, et reconnaissant que leur politique, par rapport aux régions limitrophes de la mer Baltique, a pour objet le maintien du *status quo* territorial actuel, leurs gouvernements déclarent qu'ils sont fermement résolus à maintenir intacts

His Majesty the Emperor of Germany, King of Prussia; His Majesty the King of Denmark; His Majesty the Emperor of Russia; His Majesty the King of Sweden:

Animated by the desire to strengthen the ties of neighborly friendship existing between their respective countries, and to contribute thereby to the maintenance of universal peace, and recognizing that their policy with respect to the regions bordering on the Baltic Sea is directed to the maintenance of the existing territorial *status quo*, their Governments declare that they are firmly resolved to

les droits de l'empereur d'Allemagne, roi de Prusse; du roi de Danemark; de l'empereur de Russie et du roi de Suède en ce qui concerne leurs possessions continentales ou insulaires dans lesdites régions. Dans le cas où le *statu quo* territorial actuel dans les régions limitrophes de la mer Baltique serait menacé par des événements quelconques, les quatre puissances signataires de la présente déclaration entreront en communication entre elles pour s'entendre au sujet des mesures qu'elles estimeraient utiles de prendre dans l'intérêt du maintien du *statu quo*. En foi de quoi les Plénipotentiaires dûment autorisés à cet effet ont signé, etc.

Fait à Saint-Petersbourg, le 23 avril 1908.

preserve intact the rights of the Emperor of Germany, King of Prussia; of the King of Denmark; of the Emperor of Russia and of the King of Sweden in whatever concerns their continental or insular possessions in the regions mentioned. Should any events occur which threaten the existing territorial *status quo* in the regions bordering upon the Baltic Sea, the four Signatory Powers of the present declaration will communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take in the interest of the maintenance of the *status quo*. In witness whereof the Plenipotentiaries duly authorized thereto have signed, etc.

Done at St. Petersburg, April 23, 1908.

Mémorandum

Au moment de signer la déclaration de ce jour, les soussignés, par order de leurs gouvernements respectifs, croient devoir préciser que le principe du maintien du *statu quo* consacré par ladite déclaration ne vise que l'intégrité territoriale de toutes les possessions actuelles des hautes parties contractantes, dans les régions limitrophes de la mer Baltique et que, par conséquent, la déclaration ne pourra en aucune manière être

Memorandum

At the moment of signing the declaration of this day's date, the undersigned, by order of their respective Governments, consider it necessary to state that the principle of the maintenance of the *status quo* as laid down by the said declaration applies solely to the territorial integrity of all the existing possessions of the High Contracting Parties in the regions bordering upon the Baltic Sea, and that consequently the declaration

invoquée lorsqu'il s'agira du libre exercice de droits de souveraineté des hautes parties contractantes sur leurs possessions respectives susmentionnées.

Fait à Saint-Petersbourg, le 23 avril 1908.

can in no case be invoked where the free exercise of the sovereign rights of the High Contracting Parties over their above-mentioned respective possessions is in question.

Done at St. Petersburg, April 23, 1908.

DECLARATION BY THE GOVERNMENTS OF GREAT BRITAIN, DENMARK, FRANCE, GERMANY, THE NETHERLANDS, AND SWEDEN ON THE SUBJECT OF THE MAINTENANCE OF THE STATUS QUO IN THE TERRITORIES BORDERING UPON THE NORTH SEA

Signed at Berlin, April 23, 1908

[TRANSLATION.]

Déclaration

Les Gouvernements d'Allemagne, de Danemark, de France, de la Grande-Bretagne, des Pays-Bas, et de Suède,

Animés du désir de consolider les liens de bon voisinage et d'amitié existant entre leurs États respectifs, et de contribuer par là à la conservation de la paix générale, et reconnaissant que leur politique par rapport aux régions limitrophes de la Mer du Nord a pour objet le maintien du *statu quo* territorial actuel,

Déclarent qu'ils sont fermement résolus à conserver intacts et à respecter réciproquement les droits souverains dont jouissent actuellement leurs pays sur leurs territoires respectifs dans ces régions.

Dans le cas où, d'après l'opinion

Declaration

The British, Danish, French, German, Netherland, and Swedish Governments,

Animated by the desire to strengthen the ties of neighborly friendship existing between their respective countries, and to contribute thereby to the preservation of universal peace, and recognizing that their policy with respect to the regions bordering on the North Sea is directed to the maintenance of the existing territorial *status quo*,

Declare that they are firmly resolved to preserve intact, and mutually to respect, the sovereign rights which their countries at present enjoy over their respective territories in those regions.

Should any events occur which,

d'un des Gouvernements désignés ci-dessus, le *statu quo* territorial actuel dans les régions limitrophes de la Mer du Nord serait menacé par des événements quelconques, les Puissances Signataires de la présente Déclaration entreront en communication pour se concerter par la voie d'un accord à conclure entre elles sur des mesures qu'elles jugeraient utile de prendre dans l'intérêt du maintien du *statu quo* de leurs possessions.

La présente Déclaration sera ratifiée dans le plus bref délai possible. Les ratifications seront déposées à Berlin le plus tôt que faire se pourra, et au plus tard le 31 décembre, 1908. Il sera dressé du dépôt de chaque ratification un procès-verbal dont une copie certifiée sera remise par la voie diplomatique aux Puissances Signataires.

En foi de quoi les Plénipotentiaires, dûment autorisés à cet effet, ont signé, etc.

Fait à Berlin, le 23 avril, 1908.

Mémorandum

Au moment de signer la Déclaration de ce jour, les Soussignés, d'ordre de leurs Gouvernements respectifs, croient devoir préciser :

1. Que le principe du maintien

in the opinion of any of the above-mentioned Governments, threaten the existing territorial *status quo* in the regions bordering upon the North Sea, the Powers Signatory of the present declaration will communicate with each other in order to concert, by an agreement to be arrived at between them, such measures as they may consider it useful to take in the interest of the maintenance of the *status quo* as regards their possessions.

The present declaration shall be ratified with the least possible delay. The ratifications shall be deposited at Berlin as soon as may be, and, at the latest, on the 31st December, 1908. The deposit of each ratification shall be recorded in a protocol, of which a certified copy shall be forwarded through the diplomatic channel to the Signatory Powers.

In witness whereof the Plenipotentiaries duly authorized thereto have signed, etc.

Done at Berlin, the 23rd April, 1908.

[TRANSLATION.]

Memorandum

At the moment of signing the declaration of this day's date, the undersigned, by order of their respective Governments, consider it necessary to state :

1. That the principle of the

du *statu quo*, consacré par la dite Déclaration ne vise que l'intégrité territoriale de toutes les possessions actuelles des Hautes Parties Contractantes dans les régions limitrophes de la Mer du Nord et que, par conséquent, la Déclaration ne pourra d'aucune manière être invoquée lorsqu'il s'agirait du libre exercice de droits de souveraineté des Hautes Parties Contractantes sur leurs possessions respectives susmentionnées;

2. Qu'en regard de la dite Déclaration, la Mer du Nord sera considérée comme s'étendant vers l'est jusqu'à son alliance avec les eaux de la Mer Baltique.

Fait à Berlin, 23 avril, 1908.

maintenance of the *status quo*, as laid down by the said declaration, applies solely to the territorial integrity of all the existing possessions of the High Contracting Parties in the regions bordering upon the North Sea, and that consequently the declaration can in no case be invoked where the free exercise of the sovereign rights of the High Contracting Parties over their above-mentioned respective possessions is in question;

2. That, for the purposes of the said declaration, the North Sea shall be considered to extend eastwards as far as its junction with the waters of the Baltic.

Done at Berlin, the 23rd April, 1908.

RUSSIAN-JAPANESE CONVENTION CONCERNING FISHERIES

Signed July 15 (28), 1907

[TRANSLATION.]

His Majesty the Emperor of All the Russias and His Majesty the Emperor of Japan have, for the purpose of concluding a fisheries convention in accordance with the provisions of Article XI of the treaty of peace concluded at Portsmouth on August 23 (September 5), 1905 (being the fifth day of the ninth month of the thirty-eighth year of Meidji), appointed as their Plenipotentiaries, to wit:

His Majesty the Emperor of All the Russias:

Alexander Iswolsky, Master of His Court and Minister for Foreign Affairs, and

His Privy Councilor, Constantine Goubastoff, Assistant Minister for Foreign Affairs; and

His Majesty the Emperor of Japan:

Itchiro Motono, Doctor of Laws, his Envoy Extraordinary and Minister Plenipotentiary near His Majesty the Emperor of All the Russias;

Who, after having communicated to each other their respective full powers, found in due and good order, have concluded the following articles:

ARTICLE I

The Imperial Government of Russia grants to Japanese subjects, in accordance with the provisions of the present convention, the right to fish, catch, and prepare all kinds of fish and aquatic products, except fur seals and sea otters, along the Russian coasts of the seas of Japan, Okhotsk, and Behring, with the exception of the rivers and inlets. The inlets which constitute the objects of the above exception are enumerated in article 1 of the protocol hereto annexed.

ARTICLE II

Japanese subjects are authorized to engage in fishing and in the preparation of fish and aquatic products in the fishing tracts specially designated for this purpose, situated both at sea and on the coasts, and which shall be leased at public auction without any discrimination between Japanese and Russian subjects, either for a long term or for a short term. Japanese subjects shall enjoy in this respect the same rights as Russian subjects who have acquired fishing tracts in the regions specified in Article I of the present convention.

The dates and places appointed for these auctions, as well as the necessary details relative to the leases of the various fishing tracts, shall be officially notified to the Japanese consul at Vladivostok at least two months before the auctions.

The fishing for whale and codfish, as well as for all kinds of fish and aquatic products which can not be taken within special tracts, shall be permitted to Japanese subjects on sea-going vessels provided with a special permit.

ARTICLE III

Japanese subjects who shall have acquired fishing tracts by lease in accordance with the provisions of Article II of the present convention shall have, within the limits of these tracts, the right to make free use of the coasts which have been granted to them for the purpose of carrying on their fishing industry. They may make on these coasts the necessary

repairs to their boats and nets, haul the latter on land and land their fish and aquatic products, and salt, dry, prepare, and store their fish and other hauls there. For these purposes they shall be at liberty to construct thereon buildings, stores, cabins, and drying houses, or to remove them.

ARTICLE IV

Japanese subjects and Russian subjects who have acquired fishing tracts in the regions specified in Article I of the present convention shall be treated on an equal footing in everything regarding imposts or taxes, which are or shall be levied on the right to fish and to prepare fishing products, or on the movable or immovable property necessary in this industry.

ARTICLE V

The Imperial Russian Government shall not collect any duty on fish and aquatic products cut or taken in the provinces of the coast and of the Amour, whether such fish and aquatic products are manufactured or not, when they are intended for export to Japan.

ARTICLE VI

No restriction shall be established regarding the nationality of persons employed by Japanese subjects in fishing or in the preparation of fish and aquatic products in the regions specified in Article I of the present convention.

ARTICLE VII

With regard to the mode of preparation of fish and aquatic products, the Imperial Russian Government agrees not to impose on Japanese subjects any special restrictions from which Russian subjects are exempt who have acquired fishing tracts in the regions specified in Article I of the present convention.

ARTICLE VIII

Japanese subjects who have acquired the right to fish may proceed directly either from Japan to the fishing grounds or from these grounds to Japan on vessels provided with a certificate issued in Japan by the competent Russian consulate; as well as with a bill of health issued by the Japanese authorities.

The said vessels shall be authorized to transport from one fishing ground to another, without imposts or taxes, the persons and articles necessary in the fishing industry, as well as the fish and other sea products. The aforementioned vessels shall submit in all other respects to the Russian laws on coasting trade at present enforced or which may be enacted in future.

ARTICLE IX

Japanese and Russian subjects who have acquired fishing tracts in the regions specified in Article I of the present convention shall be placed on a footing of equality with regard to the laws, regulations, and ordinances at present in force or which may be enacted in future concerning fish culture and the protection of fish and aquatic products, the supervision of the industry connected therewith, and any other matter relating to fisheries.

The Japanese Government shall be notified of newly enacted laws and regulations at least six months before their enforcement.

With regard to newly enacted ordinances, notice shall be given thereof to the Japanese consul at Vladivostok at least two months before they go into effect.

ARTICLE X

With regard to matters not specially designated in the present convention, but which relate to the fishing industry in the regions specified in Article I of the said convention, Japanese subjects shall be treated on the same footing as Russian subjects who have acquired fishing tracts in the aforementioned regions.

ARTICLE XI

Japanese subjects may engage in the preparation of fish and aquatic products within the tracts of ground which shall be rented to them outside the regions specified in Article I of the present convention, always submitting to the laws, regulations, and ordinances which are or may be in force and applicable to all foreigners in Russia.

ARTICLE XII

The Imperial Government of Japan, in consideration of the fishing rights granted by the Imperial Government of Russia to Japanese subjects by virtue of the present convention, agrees not to levy any import

duties on the fish and aquatic products caught or taken within the provinces of the coast and the Amour, whether these fish and aquatic products are manufactured or not.

ARTICLE XIII

The present convention shall remain in force for twelve years. It shall be renewed or modified at the end of every twelve years, by virtue of a mutual agreement between the two High Contracting Parties.

ARTICLE XIV

The present convention shall be ratified and the ratifications exchanged at Tokyo as soon as possible and at all events not later than four months after its signature.

In witness whereof the respective Plenipotentiaries have signed the present convention and affixed thereto their seals.

Done at St. Petersburg, July 15 (28), 1907, being the 28th day of the 7th month of the 40th year of Meiji.

[L. S.]	ISWOLSEY.	[L. S.]	I. MOTONO.
[L. S.]	GOUBASTOFF.		

Protocol

The Government of His Majesty the Emperor of All the Russias and the Government of His Majesty the Emperor of Japan deeming it necessary to settle certain questions arising from the provisions of the fisheries convention signed this day, their respective Plenipotentiaries have agreed on the following articles:

ARTICLE 1

The inlets comprised within the exception mentioned in Article I of the fisheries convention signed to-day are the following:

1. St. Lawrence Bay, as far as a straight line drawn from Cape Pnaugun to Cape Kharguilakh.
2. Metchigeme Bay.
3. Konian (Penkeguni) Bay, as far as a straight line drawn from Cape Netchkonone to Grab Peak.
4. Abolechev (Kalagan) Bay.
5. Roumilet Bay.

6. Providence Bay, as far as a straight line drawn from Cape Lissovsky to Ball's Head.
7. Saint Croix Bay, as far as the parallel of Cape Meetchken.
8. Anadyr Bay, as far as a straight line drawn from Cape Saint Basilius to Cape Guek.
9. Saint Paul Bay.
10. Schliupotchnaïa Gavane.
11. Tuleny Lake.
12. Schestifoutovy Lake.
13. Northern part of the Gulf of Baron Korff.
14. Port Karaga.
15. Bétchévinsky Bay.
16. Avatchinsky Bay, as far as a straight line drawn from Cape Bezimianny to Cape Dalny.
17. Penjinsky Gulf, as far as the parallel of Cape Mamet.
18. Grand Duke Constantine Bay.
19. Saint Nicholas Gulf, as far as a straight line drawn from Cape Lamsdorff to Cape Groté.
20. Stehastia Bay.
21. Baikal Gulf, as far as a straight line drawn from Cape Tchaouno to Cape Vitovtov.
22. Nyisky Gulf.
23. Nabilsky Gulf.
24. Krestovy Bay.
25. Stark Bay.
26. Vanine Bay, as far as a straight line drawn from Cape Vessely to Cape Bourny.
27. Imperial Harbor, as far as a straight line drawn from Cape Milioutine to Cape Poutiatine.
28. Terneï Bay, as far as the meridian of Cape Strachny.
29. Saint Vladimir Bay, as far as a straight line drawn from Cape Balusek to Cape Vatovsky.
30. Small inlet situated in the northeast portion of Préobrajénié Bay, as far as the meridian of Cape Matveïev.

It is understood that the exception in question shall extend only as far as the boundaries of the Russian territorial waters.

With regard to the northern coasts of the Okhotsk Sea, from the mouth of the Podkaguerny River to Port Ayan, with exception of Penjinsky Gulf (see No. 17 above), the inlets to be comprised within the afore-

mentioned exception shall be determined according to the following definition: Bays which cut into the continent a distance three times as great as the width of their entrance.

Fishing shall, moreover, be prohibited to Japanese subjects as well as other foreigners, for strategical reasons, within the limits of the territorial waters of the following bays:

1. De Castries Bay, together with Frederickse Bay, as far as a straight line drawn from De Castries Bay to Cape Kloster-Kamp and to a line drawn from Cape Kloster-Kamp to Cape Ostry.
2. St. Olga Bay, as far as a straight line drawn from Cape Manevsky to Cape Schtott.
3. Peter the Great Bay, from Cape Povorotny to Cape Gamov, including the islands within this bay.
4. Possiet Bay, from Cape Jamov to Cape Boutakov.

ARTICLE 2

As far as the limits of the river with regard to the sea are concerned, the two High Contracting Parties will conform to the principles and usages of international law.

ARTICLE 3

The right of fishing granted to Japanese subjects within the Liman of the Amour, by virtue of the fisheries convention, is subject to the following special conditions:

1. Japanese subjects may acquire fishing tracts within this region at public auction on the same footing as Russian subjects.
2. Japanese subjects who have acquired fishing tracts shall be subject, in all respects with regard to the fishing industry, to the same laws, regulations, and ordinances, already enacted or to be enacted for river fishing in the basin of the Amour, as Russian subjects who have been awarded fishing tracts themselves, and especially to the provisions which prohibit persons who have been granted fishing tracts in this region from employing foreign laborers.

ARTICLE 4

Japanese subjects may, at their request, acquire fishing tracts at public auction anywhere within the regions specified in Article I of the fisheries convention, provided they submit to the laws, regulations, and ordinances at present in force or which may be enacted in future for the

breeding and protection of fish, for the supervision of the industry connected therewith, and on any other matter relating to fisheries in the aforementioned regions. It is understood that the Japanese subjects shall only be subject to these laws, regulations, and ordinances to the extent that the same laws, regulations, and ordinances are applicable to Russian subjects themselves who have acquired fishing tracts in these regions.

ARTICLE 5

The term "Russian subjects who have acquired fishing tracts" (see Articles II, IV, VII, IX, and X of the fisheries convention, and article 4 of the present protocol) shall neither apply to colonists nor to native races enjoying special privileges.

ARTICLE 6

It is understood that the Imperial Russian Government reserves the right to grant fishing rights to colonists who may come and settle at places where there are no fishing tracts leased. The same shall apply to the native races.

The Russian Government agrees not to grant, during the continuance of the fisheries convention, the said rights to colonists or native races at the places where fishing tracts have already been created once.

It is agreed that the term colonists shall be applied only to persons and their families who are personally engaged in fishing without hiring any workmen.

ARTICLE 7

The Imperial Russian Government gives the assurance for the future that the fishing tracts already existing in the regions specified in Article I of the fisheries convention shall remain open throughout the duration of the said convention, with the exception of the tracts at present occupied by the colonists for their fishing.

ARTICLE 8

The duration of the grants of fishing tracts leased by public auction shall be fixed as follows:

1. One year for tracts which are opened for the first time after the fisheries convention goes into force.
2. Three years for tracts which have already been worked for one year.

3. Three years for tracts which have already been worked during the first period of three years.

4. Five years for tracts which have already been worked during the two periods of three years.

ARTICLE 9

Leases of fishing tracts whose term has not yet expired at the time of expiration of the twelve-year period mentioned in Article XIII of the fisheries convention shall continue to be valid throughout the duration of the term fixed in the aforementioned leases, whatever decision may be reached by the two Contracting Parties concerning the convention itself.

ARTICLE 10

The Imperial Russian Government will have no objection to Japanese subjects manufacturing fertilizer from herring and other species of fish which happen to enter their nets with the herrings when they are swimming in masses. The Russian Government will also have no objection to the Japanese subjects preparing and salting pickled fish after the Japanese manner.

ARTICLE 11

The certificate of navigation for the voyage from Japan to the fisheries in the Russian waters and back shall be issued by the competent Russian consulates to the Japanese fishers upon the presentation of documents showing:

1. The right to lease the tract (or tracts) to which the vessel wishes to sail.

2. The number of persons on board.

3. The nature of the cargo, which shall be solely intended for the fishing industry, and its quantity.

The navigation certificate shall enumerate:

1. The name of the vessel and of the port where it is registered.

2. The name of the fishing contractor to whom the tract or tracts have been granted.

3. An exact indication of the fishing tract or tracts to which the vessel is proceeding.

4. The nature and quantity of the cargo.

5. The number of persons on board.

The vessel provided with the aforementioned certificate and with the bill of health shall be authorized to enter and call only at the points

along the Russian coasts which are indicated in the certificate. It is a matter of course that the ports where a custom-house is situated shall always be accessible to the said vessel.

Japanese vessels proceeding to Russian waters in order to engage in fishing for whales, cod, etc., by virtue of the third paragraph of Article II of the fisheries convention, shall call provisionally in one of the Russian ports specially designated, where the competent Russian authorities shall issue to them a special permit for such fishing, which permit shall serve them at the same time as the certificate of navigation.

ARTICLE 12

The use of the ordinary Tateami shall be authorized in all fishing tracts occupied by Japanese subjects, except in tracts situated nearest to the mouths of rivers. It is agreed, moreover, that the use of the Tateami in these last-mentioned fishing tracts shall not be prohibited in case fishing with movable nets is not practicable there.

ARTICLE 13

It is understood that the expression "Fish and aquatic products," used in the fisheries convention and the protocol annexed thereto, shall include all species of fish, animals, plants, and other aquatic products except fur seals and sea otters.

ARTICLE 14

The present protocol shall be considered as being ratified upon the ratification of the fisheries convention signed to-day, and shall have the same duration as the said convention.

In witness whereof the Plenipotentiaries have signed the present protocol and sealed it with their seals.

Done at St. Petersburg, in two copies, on July 15 (28), 1907, being the 28th day of the 7th month of the 40th year of Meidji.

[L. s.]	ISWOLSKY.	[L. s.]	I. MOTONO.
[L. s.]	GOUBASTOFF.		

Reciprocal Declarations Contained in Protocol No. 4 of the Negotiations on the Fisheries Convention.

1. With regard to the northern coasts of the Sea of Okhotsk, the Imperial Russian Government, without awaiting the final result of the detailed surveys of these coasts, which will be made without delay, agrees

to grant fishing tracts to Japanese subjects in all places which are obviously not comprised within the definition agreed on for the term "inlet."

2. With regard to the prohibition to employ foreign workmen in the fishing tracts of the Liman of the Amour, the Plenipotentiary of Russia has given the following explanation to the Plenipotentiary of Japan: In fishing tracts leased for a long term the employment of foreign laborers is prohibited both for fishing and the preparation of fish; however, the owners of these tracts may, at their request, lease tracts of ground for a short term at places situated from one-half to one dersk from their fishing tracts. No restrictions shall be placed on the nationality of the workmen employed in these tracts of ground intended for use in the preparation of the fish.

In the fishing tracts leased for a short term the employment of foreign laborers is prohibited only in the catching of fish, it being permissible to employ laborers of all nationalities without distinction on land in the preparation of the fish.

It is understood as a matter of course that, in the tracts leased for a long term as well as in those for a short term, the aforementioned restrictions regarding nationality shall not apply to persons who are not comprised within the category of laborers, such as foremen, overseers, clerks, etc.

3. It is understood that the expression "short-term leases" applies only to leases whose term does not exceed one year.

4. It is agreed that the fishing tracts situated within the regions specified in Article I of the fisheries convention and leased for a long term before the said convention went into force, shall also be leased for a long term immediately after the convention goes into force.

5. All Japanese steam vessels navigating in Russian waters for the purpose of engaging there in the fishing industry must be provided with a ship's journal translated into Russian or English. As to Japanese sailing vessels navigating in Russian waters for the purpose of engaging in the fishing industry, they shall comply with the foregoing provision as far as possible.

6. The principles laid down in Article XI of the fisheries convention having been established, the Plenipotentiary of Japan expressed the hope that the Imperial Russian Government, in imposing upon Japanese subjects the restrictions which might be connected with the application of this article, will be guided only by considerations of public order and

that it will endeavor to reduce them as much as possible. The Russian Plenipotentiary replied that he shared this view and that the intention of the Russian Government was to establish the same rules for all foreigners engaged in the industry mentioned in the same article as are now enforced in the Nicolayefsk region (mouth of the Amour and the Liman), but that it reserved the right not to extend these rules to localities where the supervision is difficult.

7. The Plenipotentiary of Japan, taking note of the final acceptance by the Plenipotentiary of Russia of the wording of Article V whereby the Russian Government agrees not to collect any duty, impost, or tax, under any denomination whatever, on fish or aquatic products caught or taken within the Russian waters of the provinces of the coast and of the Amour and intended for export to Japan, whether such fish or aquatic products are manufactured or not, declares that his Government, on its part, will not only not collect the import duties mentioned in Article XII, but also no duty, impost, or tax, under any denomination whatever, upon fish and aquatic products caught or taken within the Russian waters of the provinces of the coast and of the Amour and imported into Japan, whether such fish and aquatic products have been manufactured or not.

8. In order to avoid all cause of misunderstanding in future regarding certain inlets comprised within the exception mentioned in Article I of the fisheries convention, the map herewith inclosed and giving the exact limits of the said inlets has been annexed to the present protocols.

GOUBASTOFF.

I. MOTONO.

CONVENTION BETWEEN COLOMBIA AND ECUADOR, SUPPLEMENTAL TO THE
TREATY OF NOVEMBER 5, 1904

Signed at Bogotá, June 5, 1907

[TRANSLATION.]

The Republics of Colombia and Ecuador, in observance of article 8 of the treaty signed in Bogotá on November 5, 1904, and desirous of obtaining a more prompt and expeditious execution of the treaty, have commissioned for this purpose:

The Republic of Colombia, His Excellency General Alfredo Vásquez Cobo, Minister for Foreign Affairs;

And the Republic of Ecuador, His Excellency General Julio Andrade, Ecuadorean Envoy Extraordinary and Minister Plenipotentiary in

Bogotá; who, having examined their respective full powers and found them in due form, have agreed as follows:

ARTICLE I

The Governments of both the contracting parties shall appoint and create an Arbitral Tribunal and a Technical Commission to effect the determination and demarcation of the boundary line between the two countries.

ARTICLE II

The Arbitral Tribunal shall be composed of three persons from each side, and each shall have a vote in the deliberations. The respective Governments shall designate which one among these three persons shall act as the head and official representative of the others in everything concerning the performance of their functions.

ARTICLE III

The Technical Commission shall consist of two engineers on each side; they shall have a deliberative voice in the sittings of the Commission, and one of them shall be designated to represent and direct it.

ARTICLE IV

Within two months after the ratification of this convention the Governments shall name their arbiters and engineers, and each shall notify the other of such appointments; this having been done the arbiters shall begin their labors without any more delay than that indispensably necessary for them to reach the place where they must begin to work in common.

The beginning of the labors of the Technical Commission may be delayed until the Tribunal shall need its help, whether that help be merely consultative or whether it be the commitment to it of the marking of the boundary line in conformity with the award.

ARTICLE V

The Arbitral Tribunal shall meet in Quito within the time which may be stipulated and may remove to Bogotá, if later it finds that advisable. The Technical Commission may begin its work likewise in the Ecuadorian capital or at the nearest place to the point chosen for the start of the demarcation.

ARTICLE VI

When the Tribunal meets it shall begin by adopting regulations for its operations; and if in the course of these some incident shall arise not provided for in this convention, it shall be decided by the Tribunal alone without any legal reference or delay whatever. The same shall be the case in reference to the Technical Commission.

ARTICLE VII

All the resolutions and agreements of the Tribunal or of the Technical Commission shall be by absolute majority of votes in full session, and no agreement or resolution shall have any force unless all the members of the Tribunal or Commission shall be present. In case of temporary incapacity of one of the members he may vote in writing. Any disagreement or tie that may arise in the Technical Commission concerning questions relating to the work of demarcation shall be settled by the Arbitral Tribunal or, in default thereof, by the two Governments.

ARTICLE VIII

The arbiters on each side may consult with the members of the Technical Commission, engineers, geographers, or any others they please, but without giving them voice or vote in the deliberations of the Tribunal.

ARTICLE IX

Vacancies that may occur in the membership of either the Tribunal or the Technical Commission by grave or protracted illness, death, or other permanent disability, shall be filled without delay according to the terms of Article IV.

ARTICLE X

The arbiters shall determine the dividing line in accordance with existing treaties and the modifications established by the present convention; but they may, leaving to one side strict law, adopt an equitable line in accordance with the necessities and convenience of the two countries.

ARTICLE XI

When the award has been given and notice thereof made to the parties, the Tribunal shall advise the Technical Commission, which without delay shall proceed to effect the demarcation, endeavoring to mark the boundary by natural limits; and where there may be none, indicating

it by means of posts, marks, or other enduring signs, so that it can be recognized with certainty at any time.

Those points where neither of the preceding methods are practicable shall be fixed by astronomical coordinates. The Technical Commission shall determine and indicate the starting point of the demarcation of the boundary line.

ARTICLE XII

The decision pronounced by the arbiters shall be unappealable and the line of demarcation final.

ARTICLE XIII

The Arbitral Tribunal and the Technical Commission shall have a year within which to perform their mission; but said time shall begin to run in respect to the Commission from the date in which the former shall officially communicate to it the tenor of the award. Both periods may be extended by a simple agreement between the two Governments, reached and mutually notified by Foreign Office notes.

ARTICLE XIV

The expenses of survey, or those caused by the technical operations required for the fulfillment of the award, shall be met equally by the Governments of the two countries; and the latter shall in common accord see to the safeguarding and personal security of the engineers employed, who, like the arbiters, shall enjoy the prerogatives and immunities of diplomatic agents.

ARTICLE XV

The Technical Commission shall organize the personnel of the ordinary assistants necessary, and shall give an account thereof to the two Governments for their approval. The expenses occasioned by the remuneration of the assistants shall be included among those referred to in the preceding article.

ARTICLE XVI

The arbiters shall endeavor, by all the means which their prudence and patriotism may suggest, to bring to a final and complete conclusion the important labor of cordiality between sister peoples that is entrusted to them; but in the unlooked-for and improbable case that it shall be impossible for them to agree on one or more points that they think

essential, their work shall be considered ended; and the determination of the frontier line between the two Republics shall be carried out in conformity with the treaty of November 5, 1904.

ARTICLE XVII

Before the decision of the Arbitral Tribunal established by the present convention is reached, the Governments of Colombia and Ecuador may determine all or a part of the boundary line between the two Republics by means of direct negotiations; and if said arrangements shall be in the form required for them to be valid as public treaties, they shall be brought to the knowledge of the Arbitral Tribunal, so that the latter may consider its work as finished, or may limit it to that part of the frontier that has not been arranged.

ARTICLE XVIII

The High Contracting Parties expressly agree that during the execution of this and the other conventions relative to boundaries which are in force between the two countries, the existing territorial *status quo* shall not be altered in any manner; on the contrary, they will respect and maintain it for the sake of their mutual good relations.

The present convention, as soon as it shall have been constitutionally ratified by the two Republics, shall have its ratifications exchanged in Bogotá or in Quito, within the shortest time possible.

In faith whereof the undersigned Plenipotentiaries sign their names and affix their private seals in Bogotá on June 5, 1907.

[L. S.]

A. VÁSQUEZ COBO.

[L. S.]

JULIO ANDRADE.

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND SPAIN

Signed at Madrid, June 15, 1904

ARTICLE I

It is agreed that the Government of the United States and the Government of Spain shall, upon mutual requisition duly made as herein provided deliver up to justice any person who may be charged with, or may have been convicted of any of the crimes specified in Article II of this convention committed within the jurisdiction of one of the Contracting Parties while said person was actually within such jurisdiction

when the crime was committed, and who shall seek an asylum or shall be found within the territories of the other, provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offence had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of this convention, who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms of parricide, assassination, manslaughter, when voluntary; poisoning or infanticide.
2. The attempt to commit murder.
3. Rape, abortion, carnal knowledge of children under the age of twelve years.
4. Bigamy.
5. Arson.
6. Willful and unlawful destruction or obstruction of railroads, which endangers human life.
7. Crimes committed at sea:
 - (a) Piracy, as commonly known and defined by the law of nations, or by statute;
 - (b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;
 - (c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel;
 - (d) Assault on board ships upon the high seas with intent to do bodily harm.
8. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein;
9. The act of breaking into and entering into the offices of the Government and public authorities, or the offices of banks, banking houses, saving banks, trust companies, insurance companies, or other buildings not dwellings with intent to commit a felony therein.

10. Robbery, defined to be the act of feloniously and forcibly taking from the person of another, goods or money by violence or by putting him in fear.

11. Forgery or the utterance of forged papers.

12. The forgery or falsification of the official acts of the Government or public authority, including courts of justice, or the uttering or fraudulent use of any of the same.

13. The fabrication of counterfeit money, whether coin or paper, counterfeit title or coupons of public debt, created by national, State, provincial, territorial, local or municipal governments, banknotes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

14. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds two hundred dollars (or Spanish equivalent).

15. Embezzlement by any person or persons hired, salaried or employed, to the detriment of their employers or principals, when the crime or offence is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds two hundred dollars (or Spanish equivalent).

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them or their families, or for any other unlawful end.

17. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more.

18. Obtaining money, valuable securities or other property by false pretences or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars (or Spanish equivalent).

19. Perjury or subornation of perjury.

20. Fraud or breach of trust by a bailee, banker, agent, factor trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars (or Spanish equivalent).

21. Crimes and offences against the laws of both countries for the suppression of slavery and slave trading.

22. The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both Contracting Parties.

ARTICLE III

[See amended article in protocol following treaty.]

The provisions of this convention shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences, except in so far as they shall constitute ordinary crimes or offences punishable by the laws of the two countries; and no person surrendered by or to either of the Contracting Parties in virtue of this convention shall be tried or punished for a political crime or offence, except they be ordinary crimes as above stated, nor for any act connected therewith, committed previously to the extradition. An attempt, whether consummated or not, against the life of the Sovereign or of the Head of any State, or against that of any member of his family, when such attempt comprises the act either of murder or assassination or of poisoning, shall not be considered a political offence, or an act connected with such an offence.

ARTICLE IV

[See amended article in protocol following treaty.]

No person shall be tried for any crime or offence other than that for which he was surrendered unless such crime be one of those enumerated in Article II.

ARTICLE V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the offence for which the surrender is asked.

ARTICLE VI

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution out on bail or in custody, for a crime or offence committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may

be deferred until such proceedings be determined, and, until he shall have been set at liberty in due course of law.

ARTICLE VII

If a fugitive criminal claimed by one of the parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that state whose demand is first received.

ARTICLE VIII

Under the stipulations of this convention, neither of the Contracting Parties shall be bound to deliver up its own citizens or subjects.

ARTICLE IX

The expense of the arrest, detention, examination and transportation of the accused shall be paid by the Government which has preferred the demand for extradition.

ARTICLE X

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offence, or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of either of the Contracting Parties, be delivered up with his person at the time of the surrender. Nevertheless, the rights of a third party with regard to the articles aforesaid, shall be duly respected.

ARTICLE XI

The stipulations of this convention shall be applicable to all territory wherever situated, belonging to either of the contracting parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the Contracting Parties. In the event of the absence of such agents from the country or its seat of Government, or where extradition is sought from a colonial possession of Spain or from territory, included in the preceding paragraph, other than the United States, requisition may be made by superior consular officers.

It shall be competent for such diplomatic or superior consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII

If when a person accused shall have been arrested in virtue of the mandate or preliminary warrant of arrest, issued by the competent authority as provided in Article XI hereof, and been brought, before a judge or a magistrate to the end that the evidence of his or her guilt may be heard and examined as herein before provided, it shall appear that the mandate or preliminary warrant of arrest has been issued in pursuance of a request or declaration received by telegraph from the Government asking for the extradition, it shall be competent for the judge or magistrate at his discretion to hold the accused for a period not exceeding two months, so that the demanding Government may have opportunity to lay before such judge or magistrate legal evidence of the guilt of the accused, and if at the expiration of said period of two months, such legal evidence shall not have been produced before such judge or magistrate, the person arrested shall be released, provided that the examination of the charges preferred against such accused person shall not be actually going on.

ARTICLE XIII

In every case of a request made by either of the two Contracting Parties for the arrest, detention or extradition of fugitive criminals, the legal officers or fiscal ministry of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their or its power; and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition, provided however, that any officer or officers of the surrendering Government so giving assistance, who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIV

This convention shall take effect from the day of the exchange of the ratifications thereof; but either Contracting Party may at any time terminate the same on giving to the other six months notice of its intention to do so.

The ratifications of the present treaty shall be exchanged at Madrid as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the above articles, and have hereunto affixed their seals.

Done in duplicate, at the city of Madrid, this fifteenth day of June one thousand nine hundred and four.

[SEAL]

ARTHUR S. HARDY.

[SEAL]

FAUSTINO RODRIGUES SAN PEDRO.

Protocol

The undersigned, His Excellency, William Miller Collier, Envoy Extraordinary and Minister Plenipotentiary of the United States of American to His Catholic Majesty, and His Excellency Don Manuel Allendesalazar y Muñoz de Salazar, Minister of State of His Catholic Majesty, duly authorized for the purpose, have agreed upon the following:

Articles III and IV of the treaty of extradition between the United States and Spain signed at Madrid on June 15th, 1904, are hereby amended so as to read as follows:

"ARTICLE III. The provisions of this convention shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences; and no person surrendered by or to either of the Contracting Parties in virtue of this convention shall be tried or punished for a political crime or offence. When the offence charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offence was committed or attempted against the life of the Sovereign or Head of a foreign State or against the life of any member of his family, shall not be deemed sufficient to sustain that such a crime or offence was of a political character, or was an act connected with crimes or offences of a political character."

"ARTICLE IV. No person shall be tried for any crime or offence other than that for which he was surrendered."

The above mentioned treaty, as amended by this protocol, is to be submitted for approval in the manner required by the laws of the two nations and the ratifications shall be exchanged at Madrid as soon as possible.

In faith whereof this protocol is signed in two originals, each one in the two languages, in San Sebastian on the 13th of August 1907.

WM. MILLER COLLIER.

MANUEL ALLENDE SALAZAR.

CONVENTION CONCERNING ARBITRATION BETWEEN THE UNITED STATES
AND FRANCE *

Signed February 10, 1908

Le Gouvernement des Etats Unis
d'Amérique et le Gouvernement de
la République Française, signa-
taires de la Convention pour le
réglement pacifique des conflits in-

The Government of the United
States of America and the Govern-
ment of the French Republic, sig-
natories of the Convention for the
pacific settlement of international

* The series of arbitration treaties, of which the four most striking are printed herewith, comprised treaties with France, February 10, 1908; Switzerland, February 29, 1908; Mexico, March 24, 1908; Italy, March 28, 1908; Great Britain, April 4, 1908; Norway, April 4, 1908; Portugal, April 6, 1908; Spain, April 20, 1908; the Netherlands, May 2, 1908; Sweden, May 2, 1908; Japan, May 5, 1908; and Denmark, May 18, 1908.

ternationaux conclue à La Haye le 29 Juillet 1899;

Considérant que par l'Article XIX de cette Convention, les Hautes Parties Contractantes se sont réservées de conclure des accords en vue du recours à l'arbitrage, dans tous les cas qu'elles jugeront possible de lui soumettre,

Ont autorisé les Soussignés à arrêter les dispositions suivantes:

ARTICLE I

Les différends d'ordre juridique ou relatifs à l'interprétation des Traités existant entre les deux Parties Contractantes qui viendraient à se produire entre elles, et que n'auraient pu être réglés par la voie diplomatique, seront soumis à la Cour Permanente d'Arbitrage établie par la Convention du 29 Juillet 1899 à La Haye, à la condition toutefois qu'ils ne mettent en cause, ni les intérêts vitaux ni l'indépendance ou l'honneur des deux Etats Contractants, et qu'ils ne touchent pas aux intérêts de tierces Puissances.

ARTICLE II

Dans chaque cas particulier, les Hautes Parties Contractantes avant de s'adresser à la Cour Permanente d'Arbitrage, signeront un compromis spécial, déterminant nettement l'objet du litige, l'éten-

disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of

due des pouvoirs des Arbitres et les délais à observer, en ce qui concerne la constitution du Tribunal Arbitral et la procédure. Il est entendu que, pour ce qui concerne les Etats Unis, les compromis spéciaux seront faits par le Président des Etats Unis avec l'avis et consentement du Sénat et, pour ce qui concerne la France, soumis aux formalités requises par ses lois constitutionnelles.

ARTICLE III

La présente Convention sera ratifiée par le Président des Etats Unis d'Amérique, sur l'avis et avec le consentement du Sénat des Etats Unis; et entrera en vigueur à partir de la date de cette ratification et pour une durée de cinq années.

Fait en double expédition, en anglais et en français, à Washington, la dixième jour de Février 1908.

ELIHU ROOT
JUSSERAND

the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of France they will be subject to the procedure required by the constitutional laws of France.

ARTICLE III

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; it shall become effective on the day of such ratification, and shall remain in force for a period of five years thereafter.

Done in duplicate in the English and French languages, at Washington, this tenth day of February, in the year 1908.

[SEAL]
[SEAL]

CONVENTION CONCERNING ARBITRATION BETWEEN THE UNITED STATES AND GREAT BRITAIN

Signed April 4, 1908

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, desiring in pursuance of the principles set forth in articles 15-19 of the convention for the pacific settlement of international disputes, signed at The

Hague July 29, 1899, to enter into negotiations for the conclusion of an arbitration convention, have named as their Plenipotentiaries to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States, and

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, The Right Honorable James Bryce, O. M., who, after having communicated to one another their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the arbitral tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof; His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence therein of the government of that dominion.

Such agreements shall be binding only when confirmed by the two Governments by an exchange of notes.

ARTICLE III

The present convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof, and by His Britannic Majesty. The ratifications shall

be exchanged at Washington, as soon as possible, and the convention shall take effect on the date of the exchange of its ratifications.

ARTICLE IV

The present convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

Done in duplicate at the city of Washington, this fourth day of April, in the year 1908.

ELIHU ROOT [SEAL.]

JAMES BRYCE [SEAL.]

CONVENTION CONCERNING ARBITRATION BETWEEN THE UNITED STATES AND MEXICO

Signed March 24, 1908

The Government of the United States of America and the Government of Mexico, signatories of the convention for the pacific settlement of international disputes, concluded at The Hague on the 29th of July, 1899;

Taking into consideration that by Article XIX of that convention the High Contracting Parties have reserved to themselves the right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the undersigned to conclude the following arrangement:

ARTICLE I

Differences which may arise whether of a legal nature or relative to the interpretation of the treaties existing between the two contracting parties and which it may not have been possible to settle by diplomacy, in case no other arbitration should have been agreed upon, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th July 1899, provided that they do not affect the vital interests, the independence, or the honor of either of the contracting parties and do not prejudice the interests of a third party.

ARTICLE II

In each individual case, the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers

of the arbitrators and the periods to be fixed for the formation of the arbitral tribunal and the several stages of the procedure. It is understood that such special agreements shall be made by the Presidents of both contracting countries by and with the advice and consent of their respective Senates.

ARTICLE III

The foregoing stipulations in no wise annul, but on the contrary define, confirm and continue in effect the declarations and rules contained in Article XXI of the treaty of peace, friendship and boundaries between the United States and Mexico signed at the city of Guadalupe Hidalgo on the second of February one thousand eight hundred and forty-eight.

ARTICLE IV

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Government of Mexico in accordance with its constitution and laws. The ratifications shall be exchanged at Washington as soon as possible, and the convention shall take effect on the date of the exchange of its ratifications.

ARTICLE V

The present convention is concluded for a period of five years dating from the day of the exchange of its ratifications.

Done in duplicate at the City of Washington, in the English and Spanish languages, this twenty-fourth day of March in the year 1908.

ELIHU ROOT [SEAL.]

JOSÉ F. GODOY [SEAL.]

CONVENTION CONCERNING ARBITRATION BETWEEN THE UNITED STATES AND JAPAN

Signed May 5, 1908

The President of the United States of America and His Majesty the Emperor of Japan, taking into consideration the fact that the High Contracting Parties to the convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899, have reserved to themselves, by Article XIX of that convention, the

right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment, have resolved to conclude an arbitration convention between the two countries, and for the purpose have named as their Plenipotentiaries, that is to say:

The President of the United States of America, Elihu Root, Secretary of State of the United States of America; and

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the period to be fixed for the formation of the arbitral tribunal and the several stages of the procedure. It is understood that such special agreements will be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate thereof.

Such agreements shall be binding only when confirmed by the two Governments by an exchange of notes.

ARTICLE III

The present convention shall remain in force for the period of five years from the date of the exchange of the ratifications.

ARTICLE IV

The present convention shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Washington as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the present convention, and have thereunto affixed their seals.

Done at the City of Washington, in duplicate, this fifth day of May, one thousand nine hundred and eight, corresponding to the fifth day of the fifth month of the forty-first year of Meiji.

ELIHU ROOT [SEAL.]

K. TAKAHIRA [SEAL.]

TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN PROVIDING
FOR WRECKING AND SALVAGE AND FOR THE CONVEYANCE OF PRISONERS
BETWEEN THE UNITED STATES AND THE DOMINION OF CANADA

Signed at Washington, May 18, 1908

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being desirous to make provision for the conveyance of persons in lawful custody for trial or punishment either in the United States or the Dominion of Canada through the territory of the other, and for reciprocal rights in wrecking and salvage in the waters contiguous to the boundary between the United States and the Dominion of Canada, have for that purpose resolved to conclude a treaty, and to that end have appointed as their Plenipotentiaries:

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honorable James Bryce, O. M., His Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

Conveyance of Prisoners

Any officer of the United States of America or of any state or territory thereof, having in his custody without the borders of Canada, by virtue of any warrant or any other lawful process issued by authority of the United States or of any state or territory thereof, any person charged with or convicted of any of the criminal offences specified below, committed within the jurisdiction of the United States or of any state or territory thereof, may, in executing such warrant or process, convey such person through any part of Canada to a place in the United States, if such warrant or process is endorsed, or backed, by a judge, magistrate or justice of the peace in Canada, or if the authority of the Minister of Justice of Canada for such conveyance is first obtained.

During such conveyance of such person through Canada, such officer may keep such person in his custody, and in case of escape may recapture him.

Any officer of the Dominion of Canada or of any province or territory thereof, having in his custody without the borders of the United States of America, by virtue of any warrant or any other lawful process issued by authority of the law of the Dominion or of any province or territory thereof, any person charged with or convicted of any of the criminal offences specified below, committed in Canada, may, in executing such warrant or process, convey such person through any part of the United States to a place in Canada, if such warrant or process is endorsed, or backed, by a judge, magistrate or justice of the peace in the United States, or if the authority of the Secretary of State of the United States for such conveyance is first obtained.

During such conveyance of such person through the United States, such officer may keep such person in his custody, and in case of escape may recapture him.

The foregoing provision shall apply only to persons charged with or convicted of offences of the following descriptions:

1. Offences for which extradition is at the time authorized by a treaty in force between the United States and Great Britain.
2. Assault with intent to commit grievous bodily harm.
3. Assault upon an officer of the law in the execution of his duty.

The United States and the Dominion of Canada may by concurrent legislation make further or other regulations for authenticating the warrant or process under which the person in custody is to be conveyed, as before provided.

ARTICLE II

Wrecking and Salvage

The High Contracting Parties agree that vessels and wrecking appliances, either from the United States or from the Dominion of Canada, may save any property wrecked and may render aid and assistance to any vessel wrecked, disabled or in distress in the waters or on the shores of the other country in the portion of the St. Lawrence River through which the International Boundary line extends, and, in Lake Ontario, Lake Erie, Lake St. Clair, Lake Huron, and Lake Superior, and in the Rivers Niagara, Detroit, St. Clair, and Ste. Marie, and the Canals at Sault Ste. Marie, and on the shores and in the waters of the other country along the Atlantic and Pacific Coasts within a distance of thirty miles from the International Boundary on such Coasts.

It is further agreed that such reciprocal wrecking and salvage privileges shall include all necessary towing incident thereto, and that nothing in the Customs, Coasting or other laws or regulations of either country shall restrict in any manner the salving operations of such vessels or wrecking appliances.

Vessels from either country employed in salving in the waters of the other shall, as soon as practicable afterwards, make full report at the nearest custom house of the country in whose waters such salving takes place.

ARTICLE III

This Treaty shall remain in force for ten years after its date and thereafter until terminated by twelve months' written notice given by either High Contracting Party to the other.

ARTICLE IV

This Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged in Washington as soon as possible.

In faith whereof the respective Plenipotentiaries have signed this Treaty in duplicate and hereunto affixed their seals.

Done at Washington the eighteenth day of May, in the year of our Lord one thousand nine hundred and eight.

ROBERT BACON [SEAL.]

JAMES BRYCE [SEAL.]

TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN PROVIDING
FOR THE MORE COMPLETE DEFINITION AND DEMARCATION OF THE
INTERNATIONAL BOUNDARY BETWEEN THE UNITED STATES AND THE
DOMINION OF CANADA

Signed at Washington, April 11, 1908

The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, being desirous of providing for the more complete definition and demarcation of the international boundary between the United States and the Dominion of Canada, have for that purpose resolved to conclude a treaty, and to that end have appointed as their Plenipotentiaries:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

His Britannic Majesty, Right Honorable James Bryce, O. M., his Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

The boundary through Passamaquoddy Bay

The High Contracting Parties agree that each shall appoint, without delay, an expert geographer or surveyor to serve as Commissioners for the purpose of more accurately defining and marking the international boundary between the United States and the Dominion of Canada in the waters of Passamaquoddy Bay from the mouth of the St. Croix River to the Bay of Fundy, and that in defining and marking said boundary line the Commissioners shall adopt and follow, as closely as may be, the line surveyed and laid down by the Commissioners appointed under Article II of the treaty of July 22, 1892, between the United States and Great Britain, so far as said Commissioners agreed upon the location of said line, namely:

(1) From a point at the mouth of the St. Croix River defined by the ranges established by them, by a connected series of six straight lines defined by ranges and cross ranges, to a point between Treat Island and Friar Head, likewise defined by ranges and cross ranges established by them; and also

(2) From a point in Quoddy Roads, defined by the intersection of the range passing through the position of the Beacon of 1886 and Lubec Channel Light, with a range established by them on the west shore of Quoddy Roads along the course of this latter range, which is about $80^{\circ} 35'$ east of true south, into the Bay of Fundy.

In ascertaining the location of the above-described line, the Commissioners shall be controlled by the indications of the range marks and monuments established along its course by said former Commissioners and by the charts upon which the said Commissioners marked the line as tentatively agreed upon by them.

The remaining portion of the line, lying between the two above-described sections, and upon the location of which said former Commissioners did not agree, shall pass through the center of the Lubec Narrows Channel between Campo Bello Island and the mainland, and, subject to the provisions hereinafter stated, it shall follow on either side of the said Narrows such courses as will connect with the parts of the line agreed upon as aforesaid, and such boundary shall consist of a series of straight lines defined by distances and courses; but inasmuch as differences have arisen in the past as to the location of the line with respect to Pope's Folly Island above Lubec Narrows and with respect to certain fishing grounds east of the dredged channel below Lubec Narrows, it is agreed that each of the High Contracting Parties shall present to the other within six months after the ratification of this Treaty a full printed statement of the evidence, with certified copies of original documents referred to therein which are in its possession, and the arguments upon which it bases its contentions, with a view of arriving at an adjustment of the location of this portion of the line in accordance with the true intent and meaning of the provisions relating thereto of the treaties of 1783 and 1814 between the United States and Great Britain, and the award of the Commissioners appointed in that behalf under the treaty of 1814; it being understood that any action by either or both Governments or their representatives authorized in that behalf or by the local governments on either side of the line, whether prior or subsequent to such treaties and award, tending to aid in the interpretation thereof, shall be taken into consideration in determining their true intent and meaning. Such agreement, if reached, shall be reduced to writing in the form of a protocol and shall be communicated to the said Commissioners, who shall lay down and mark this portion of the boundary in accordance therewith and as herein provided.

In the event of a failure to agree within six months after the date of exchanging the printed statements aforesaid, the question of which Government is entitled to jurisdiction over such island and fishing grounds under treaty provisions, and proceedings thereunder, interpreted in accordance with their true intent and meaning as above provided, and by reason of any rights arising under the recognized principles of international law, shall be referred forthwith for decision upon the evidence and arguments submitted as aforesaid, with such additional statement of facts as may be appropriate, and an argument in reply on each side, to an arbitrator to be agreed upon by the two Governments, or, in case of a failure to agree, to be appointed by a third Power selected by the two Governments by common accord, or, if no agreement is thus arrived at, each Government shall select a different Power and the choice of the arbitrator shall be made in concert by the Powers thus selected. The decision of such arbitrator shall be final, and the line shall be laid down and marked by the said Commissioners in accordance therewith and as herein provided.

The arbitrator shall be requested to deliver, together with his award, a statement of all the costs and expenses incurred by him in connection with the arbitration, which shall forthwith be repaid by the two Governments in equal moieties.

It is further agreed that if, under the forgoing provisions, the boundary be located through the channel to the east of the dredged channel above mentioned, the latter shall be equally free and open for the passage of ships, vessels, and boats of both parties.

The entire boundary shall be marked by permanent range marks established on land and, if desirable in the opinion of the Commissioners, by buoys in the water, so far as practicable, and by such other boundary marks and monuments and at such points as the Commissioners may determine to be necessary; but the said Commissioners shall proceed to define and mark and chart the portion of the line agreed upon by the former Commissioners under the treaty of 1892 aforesaid without waiting for the final determination of the location of the remaining portion of the line.

The course of the said boundary line as defined and marked as aforesaid shall be laid down by said Commissioners on quadruplicate sets of accurate modern charts prepared or adopted by them for that purpose, which charts shall be certified and signed by the Commissioners, and two duplicate originals thereof shall be filed by them with each Government;

and they shall also prepare in duplicate and file with each Government a joint report or reports under their hands and seals describing in detail the course and location of the boundary line and the range marks and monuments and buoys marking it.

The line so defined and laid down shall be taken and deemed to be the international boundary from the Bay of Fundy to the mouth of the St. Croix River, as established by treaty provisions and the proceedings thereunder.

ARTICLE II

The boundary from the mouth to the source of the St. Croix River

Whereas Article II of the treaty of 1783 between the United States and Great Britain provides that a line drawn along the middle of the River St. Croix from its mouth in the Bay of Fundy to its source shall be, between those points, the international boundary between the United States and the British possessions in North America, and the identity of the River St. Croix has been determined by the Commissioners appointed for that purpose under Article V of the Treaty of 1794 between the United States and Great Britain, and the location of the mouth and the source of said river has been duly established, and the course of said river has been described, surveyed, and charted by said Commissioners, as appears from their joint report dated the 25th day of October, 1798, and from the chart or plan of said river prepared and filed by them with said report, but said line of boundary along the middle of said river was not laid down by them on said chart or plan, and was not marked or monumented by them along the course of said river; and whereas, pursuant to an additional article, dated March 15, 1798, supplementing the provisions of the Treaty of 1794 above referred to, a monument was erected by joint action of the two Governments marking the source of the River St. Croix, but said line of boundary through the River St. Croix has not otherwise been monumented and has never been laid down on charts by joint action of the two Governments; therefore, in order to complete and render thoroughly effective the demarcation of the boundary described and established as aforesaid,

It is agreed that each of the High Contracting Parties shall appoint, without delay, an expert geographer or surveyor as a Commissioner, and the Commissioners so appointed shall jointly lay down upon accurate modern charts, to be prepared or adopted by them for that purpose, the line of boundary along the middle of the River St. Croix from its mouth

to its source as defined and established by the existing treaty provisions and the proceedings thereunder, above referred to, with the agreed understanding, however, that the line of boundary through said river shall be in a water line throughout and shall follow the center of the main channel or thalweg as naturally existing, except where such course would change, or disturb, or conflict with the national character of an island as already established by mutual recognition and acquiescence, in which case the line shall pass on the other side of any such island, following the middle of the channel nearest thereto, or, if the Commissioners find that the national character of any island is in dispute, the question of its nationality shall be submitted by them to their respective Governments, with a chart or map certified jointly by said Commissioners, showing the depth and volume of the water at its high and low stages between such island and the river banks on each side and indicating the course of the main channel of the river as it passes such island, together with a descriptive statement by said Commissioners showing the reasons for selecting such channel as the main channel; and in all such cases the High Contracting Parties agree that the location of the boundary with respect to each island in dispute shall be determined and settled in accordance with the following rules:

(1) The nationality of each island in dispute shall be determined by the predominance of the claims established on either side to such island, arising from the exercise of jurisdiction and sovereignty over it, including such exercise of jurisdiction by the local governments on either side of the line.

(2) The burden of proving the nationality of any such island shall be upon the party seeking to change the general course of the boundary as above prescribed so as to include such island on its own side of the boundary.

(3) The selection by the Commissioners of the main channel passing such island shall not be conclusive upon the parties hereto and is subject to review, but the burden of proving the main channel to be other than the one selected shall be upon the party proposing the change.

The Government proposing such change in the prescribed course of the boundary shall, upon the submission of the question of the nationality of any island or islands by the Commissioners as aforesaid, promptly present to the other Government a printed statement, with certified copies of any original documents in its possession referred to therein, showing the grounds and arguments upon which its claim of

jurisdiction and ownership with respect to such island rests. Unless an agreement is reached upon the presentation of such statement, the Government to which such statement is presented shall within six months after its receipt present in reply a similar statement showing the grounds and arguments upon which the claims of the other Government are contested. If an agreement is reached between the two Governments, it shall be reduced to writing in the form of a protocol and shall be communicated to the said Commissioners, who shall proceed to lay down and mark the boundary so as to leave such island on the side of the boundary to which it is shown it belongs, in accordance with the determination of its nationality arrived at as aforesaid.

In the event of a failure by the two Governments to come to an agreement within six months after the presentation of the printed statements in reply herein above provided for, then the question of the nationality of the islands in dispute shall be referred forthwith for decision under the rules herein above set forth for the determination of that question, and under the recognized principles of international law not inconsistent therewith, and upon the evidence and arguments submitted as aforesaid, with such additional statement of facts as may be appropriate, and such further printed argument on each side as may be desired, to an arbitrator to be agreed upon by the two Governments, or, in case of a failure to agree, to be appointed by a third Power selected by the two Governments by common accord, or, if no agreement is thus arrived at, each Government shall select a different Power and the choice of the arbitrator shall be made in concert by the Powers thus selected. The decision of such arbitrator shall be final, and the line shall be laid down and marked by the said Commissioners in accordance therewith and as herein provided.

The arbitrator shall be requested to deliver, together with his award, a statement of all the costs and expenses incurred by him in connection with the arbitration, which shall forthwith be repaid by the two Governments in equal moieties.

It is further agreed that so far as practicable the said Commissioners shall establish boundary monuments and ranges and buoys marking the course and location of the said line, and showing on which side of the boundary the several islands lying in said river belong, wherever in their judgment it is desirable that the boundary be so marked.

The charts upon which the boundary is marked as aforesaid shall be in quadruplicate, and shall be certified and signed by said Commis-

sioners, and two duplicate originals thereof shall be filed by them with each Government, and it shall also be the duty of said Commissioners to prepare in duplicate, and file with each Government, a joint report under their hands and seals describing the line so marked by them and the monuments and range marks and buoys marking it.

The line so defined and laid down shall be taken and deemed to be the international boundary from the mouth to the source of the St. Croix River as established by treaty provisions and the proceedings thereunder as aforesaid.

ARTICLE III

The boundary from the source of the St. Croix River to the St. Lawrence River

Whereas the remonumenting of the course of the boundary defined and laid down under the provisions of Articles I and VI of the Treaty of August 9, 1842, between the United States and Great Britain has already been undertaken without a formal treaty agreement, but by the joint and concurrent action of the Governments of the United States and Great Britain, certain monuments between Vermont and Canada having been relocated in 1849, and the portion of said boundary extending between Hall's Stream and the St. Lawrence River in part having been remonumented in recent years and in part is now being remonumented under such action on both sides; and whereas the Commissioners appointed under Article VI of the Treaty of 1842 aforesaid were required to and did mark by monuments the land portion only of said line, and were not required to and did not mark by monuments the portions of the boundary extending along water courses, with the exception that the nationality of the several islands in the St. John River was indicated by monuments erected thereon and a series of monuments was placed by them along the edge of certain of the water courses to fix the general direction of the boundary, most of which monuments have since disappeared, but the entire boundary, including its course through the waterways as well as on land, was charted and marked on maps by said Commissioners under the provisions of Article VI above referred to, and the nationality of the respective islands in the St. John River was determined by them, as appears from the joint report filed by said Commissioners dated June 28, 1847, and the series of maps signed by said Commissioners and filed with their joint report; and whereas the portion of the line through said waterways has not since been monu-

mented or marked along its course by joint action of the two Governments, and the monuments placed by said Commissioners along the land portion of said boundary require repairing and renewing where such work has not already been done in recent years, and additional or supplementary intermediate monuments at convenient points are required under modern conditions; therefore, in order to carry on and complete the work already undertaken as aforesaid, and to reestablish the location of said boundary and render thoroughly effective the demarcation of the said boundary as existent and established,

It is agreed that each of the High Contracting Parties shall appoint, without delay, an expert geographer or surveyor as a Commissioner, and under the joint direction of such Commissioner the lost or damaged boundary monuments shall be relocated and repaired, and additional monuments and boundary marks shall be established wherever necessary in the judgment of the Commissioners to meet the requirements of modern conditions along the course of the land portion of said boundary, and where the said boundary runs through waterways it shall be marked along its course so far as practicable, by buoys and monuments in the water and by permanent ranges established on the land, and in such other way and at such points as in the judgment of the Commissioners it is desirable that the boundary be so marked; and it is further agreed that the course of the entire boundary, as described in Article I of the Treaty of 1842 and as laid down as aforesaid under Article VI of that Treaty, shall be marked by said Commissioners upon quadruplicate sets of accurate modern charts prepared or adopted by them for that purpose, and that said charts so marked shall be certified and signed by them and two duplicate originals thereof shall be filed with each Government, and said Commissioners shall also prepare in duplicate and file with each Government a joint report or reports describing in detail the course of the boundary so marked by them, and the character and location of the several monuments and boundary marks and ranges marking it.

The line so defined and laid down shall be taken and deemed to be the international boundary as defined and laid down under Articles I and VI of the said Treaty of 1842.

ARTICLE IV

The boundary from its intersection with the St. Lawrence River to the mouth of Pigeon River

The High Contracting Parties agree that the existing International Waterways Commission, constituted by concurrent action of the United States and the Dominion of Canada and composed of three Commissioners on the part of the United States and three Commissioners on the part of the Dominion of Canada, is hereby authorized and empowered to ascertain and reestablish accurately the location of the international boundary line beginning at the point of its intersection with the St. Lawrence River near the forty-fifth parallel of north latitude, as determined under Articles I and VI of the Treaty of August 9, 1842, between the United States and Great Britain, and thence through the Great Lakes and communicating waterways to the mouth of Pigeon River, at the western shore of Lake Superior, in accordance with the description of such line in Article II of the Treaty of Peace between the United States and Great Britain, dated September 3, 1783, and of a portion of such line in Article II of the Treaty of August 9, 1842, aforesaid, and as described in the joint report dated June 18, 1822, of the Commissioners appointed under Article VI of the Treaty of December 24, 1814, between the United States and Great Britain, with respect to a portion of said line and as marked on charts prepared by them and filed with said report, and with respect to the remaining portion of said line as marked on the charts adopted as treaty charts of the boundary under the provisions of Article II of the Treaty of 1842, above mentioned, with such deviation from such line, however, as may be required on account of the cession by Great Britain to the United States of the portion of Horse Shoe Reef in the Niagara River necessary for the lighthouse erected there by the United States in accordance with the terms of the protocol of a conference held at the British Foreign Office December 9, 1850, between the representatives of the two Governments and signed by them agreeing upon such cession; and it is agreed that wherever the boundary is shown on such charts by a curved line along the water the Commissioners are authorized in their discretion to adopt, in place of such curved line, a series of connecting straight lines defined by distances and courses and following generally the course of such curved line, but conforming strictly to the description of the boundary in the existing treaty provisions, and the geographical coordinates of the turning points of such line shall be stated by said Commissioners

so as to conform to the system of latitudes and longitudes of the charts mentioned below, and the said Commissioners shall so far as practicable mark the course of the entire boundary line located and defined as aforesaid, by buoys and monuments in the waterways and by permanent range marks established on the adjacent shores or islands, and by such other boundary marks and at such points as in the judgment of the Commissioners it is desirable that the boundary should be so marked; and the line of the boundary defined and located as aforesaid shall be laid down by said Commissioners on accurate modern charts prepared or adopted by them for that purpose, in quadruplicate sets, certified and signed by the Commissioners, two duplicate originals of which shall be filed by them with each Government; and the Commissioners shall also prepare in duplicate and file with each Government a joint report or reports describing in detail the course of said line and the range marks and buoys marking it, and the character and location of each boundary mark. The majority of the Commissioners shall have power to render a decision.

The line so defined and laid down shall be taken and deemed to be the international boundary as defined and established by treaty provisions and the proceedings thereunder as aforesaid from its intersection with the St. Lawrence River to the mouth of Pigeon River.

ARTICLE V

The boundary from the mouth of Pigeon River to the northwesternmost point of the Lake of the Woods

In order to complete and perfect the demarcation of the international boundary line between the United States and the Dominion of Canada from the mouth of Pigeon River, at the western shore of Lake Superior, to the northwesternmost point of the Lake of the Woods, which boundary is defined in Article II of the Treaty of Peace between the United States and Great Britain dated September 3, 1783, and in Article II of the Treaty of August 9, 1842, between the United States and Great Britain, wherein is defined also the location of the said northwesternmost point of the Lake of the Woods, and the greater part of the said boundary is marked on charts covering that section of the boundary adopted as treaty charts of the boundary under the provisions of Article II of the Treaty of 1842 aforesaid, but has never been actually located or monumented along its course by joint action of the two Governments, and no joint survey of its course has been made since the survey under

the direction of the Commissioners appointed under Article VII of the Treaty of December 24, 1814, between the United States and Great Britain, under whose direction the charts above mentioned were prepared,

It is agreed that each of the High Contracting Parties shall appoint, without delay, an expert geographer or surveyor as Commissioners, who shall reestablish and fix the actual location of said entire boundary described and charted as aforesaid, and designate the side of the boundary upon which each island adjacent to the boundary belongs, it being mutually understood that the boundary, so far as practicable, shall be a water line and shall not intersect islands lying along its course, and the Commissioners shall so far as practicable mark such boundary along its course by monuments and buoys and range marks, and such other boundary marks as the Commissioners may determine, and at such points as in their judgment it is desirable that the boundary shall be so marked; and it is further agreed that the course of the entire boundary as described and laid down as aforesaid and as monumented by said Commissioners shall be marked by them upon quadruplicate sets of accurate modern charts prepared or adopted by them for that purpose, and that said charts so marked shall be certified and signed by them and two duplicate originals thereof shall be filed with each Government, and said Commissioners shall also prepare in duplicate and file with each Government a joint report or reports describing in detail the course of the boundary so marked by them and the character and location of the several monuments and boundary marks and ranges marking it.

The line so defined and laid down shall be taken and deemed to be the international boundary as defined and established under the aforesaid treaties from the mouth of Pigeon River to the northwesternmost point of the Lake of the Woods.

ARTICLE VI

The boundary from the northwesternmost point of the Lake of the Woods to the summit of the Rocky Mountains

In order to complete and render thoroughly effective the demarcation of the international boundary between the United States and the Dominion of Canada from the northwesternmost point of the Lake of the Woods to the summit of the Rocky Mountains, which boundary, according to existing treaties, runs due south from said northwesternmost point to the forty-ninth parallel of north latitude and thence along that parallel to the summit of the Rocky Mountains, and has been surveyed

and charted and monumented as appears from the series of twenty-four sectional maps covering this portion of the boundary prepared and filed by the Joint Commission appointed for that purpose by joint action of the two Governments in 1872.

It is agreed that each of the High Contracting Parties shall appoint, without delay, an expert geographer or surveyor as a Commissioner, and under the joint direction of such Commissioners lost or damaged monuments along the course of said boundary shall be relocated and repaired and additional monuments and boundary marks shall be established wherever necessary, in the judgment of the Commissioners, to meet the requirements of modern conditions and to render more effective the demarcation of the existent boundary established under the treaty provisions and proceedings thereunder as aforesaid; and it is further agreed that in carrying out these provisions the said Commissioners shall observe the agreement stated in the protocol of the final meeting, dated May 29, 1876, of the Joint Commission aforesaid, which is as follows:

2. In the intervals between the monuments along the parallel of latitude, it is agreed that the line has a curvature of a parallel of 49° north latitude; and that such characteristic shall determine all questions that may hereafter arise with reference to the position of the boundary at any point between neighboring monuments.

3. It is further agreed that, in the event of any of the said three hundred and eighty-eight monuments or marks being obliterated beyond the power of recognition, the lost site or sites shall be recovered by their recorded position relatively to the next neighboring unobliterated mark or marks.

It is further agreed that the said Commissioners shall mark upon quadruplicate sets of accurate modern charts prepared or adopted by them for that purpose the entire course of said boundary and the location of the boundary monuments and marks established along the course of said boundary, and two duplicate originals thereof shall be filed with each Government, and said Commissioners shall also prepare in duplicate and file with each Government a joint report describing in detail the work done by them in replacing and repairing lost or damaged monuments and the character and location of the several monuments and boundary marks placed by them along said boundary.

The line so laid down and defined shall be taken and deemed to be the international boundary as defined and established by treaty provisions and the proceedings thereunder as aforesaid from the north-westernmost point of the Lake of the Woods to the summit of the Rocky Mountains.

ARTICLE VII

The boundary from the summit of the Rocky Mountains to the Gulf of Georgia

Whereas, by concurrent action of the Government of the United States and the Government of Great Britain in 1902 and 1903, Commissioners were designated to act jointly for the purpose of renewing lost or damaged monuments and placing additional monuments where such were needed throughout the course of the boundary along the forty-ninth parallel of north latitude, from the summit of the Rocky Mountains westward to the eastern shore of the Gulf of Georgia, as defined in Article I of the Treaty of June 15, 1846, between the United States and Great Britain and as marked by monuments along its course and laid down on a series of charts, seven in number, by a Joint Commission organized in 1858 for that purpose and composed of two Commissioners appointed one by each Government, which charts, duly certified and authenticated in duplicate by said Commissioners, were approved and adopted by the two Governments, as appears from the declaration in writing to that effect signed on February 24, 1870, at Washington, by duly authorized Plenipotentiaries of the respective Governments, and it appearing that the remonumenting of this line by the Commissioners first above referred to is now approaching completion;

It is hereby agreed by the High Contracting Parties that when such work is completed the entire course of said boundary, showing the location of the boundary monuments and marks established along the course of the boundary, shall be marked upon quadruplicate sets of accurate modern charts prepared or adopted for that purpose, and the said Commissioners, or their successors, are hereby authorized and required to so mark the line and designate the monuments on such charts, two duplicate originals of which shall be filed with each Government, and the said Commissioners, or their successors, shall also prepare in duplicate and file with each Government a joint report describing in detail the work done by them in replacing and repairing lost or damaged monuments and the character and location of the several monuments and boundary marks placed by them along said boundary.

The line so laid down and defined shall be taken and deemed to be the international boundary as defined and established by treaty provisions and the proceedings thereunder as aforesaid, from the summit of the Rocky Mountains to the eastern shore of the Gulf of Georgia.

ARTICLE VIII

The boundary from the forty-ninth parallel to the Pacific Ocean

The High Contracting Parties agree that each shall appoint, without delay, an expert geographer or surveyor to serve as Commissioners for the purpose of delineating upon accurate modern charts, prepared or adopted by them for that purpose, the international boundary line between the United States and the Dominion of Canada from the forty-ninth parallel of north latitude along the middle of the channel which separates Vancouver's Island from the mainland and the middle of the Haro Channel and of Fuca's Straits to the Pacific Ocean, as defined in Article I of the Treaty of June 15, 1846, between the United States and Great Britain, and as determined by the award made on October 21, 1872, by the Emperor of Germany as arbitrator pursuant to the provisions of Articles XXXIV-XLII of the Treaty of May 8, 1871, between the United States and Great Britain, and as traced out and marked on a quadruplicate set of charts prepared for that purpose and agreed upon and signed by the duly authorized representatives of the respective Governments, as appears from the protocol of a conference at Washington on March 10, 1873, between such representatives which was signed by them on that date, and as defined by them in a written definition of said boundary signed by them and referred to in and attached to said protocol, and it is agreed that the said Commissioners shall adopt in place of the curved line passing between Saturna Island and Patos Island as shown on said charts a straight line running approximately north and south through a point midway between the eastern point of Saturna Island and the western point of Patos Island and intersecting the prolongations of the two straight lines of the boundary now joined by a curved line. The entire line thus laid down shall consist of a series of connecting straight lines defined by distances and courses; and the Commissioners are authorized to select and establish such reference marks on shore as they may deem necessary for the proper definition and location on the water of the boundary aforesaid. A quadruplicate set of such charts, showing the lines so laid down marked by them and the location of the several marks or monuments selected or established by them along its course, shall be signed by them and two duplicate originals thereof shall be filed by them with each Government, and the Commissioners shall also prepare in duplicate and file with each Government a joint report, or reports, describing in detail the course of said line and the boundary marks and their location along its course.

The line so defined and laid down shall be taken and deemed to be the international boundary, as defined and established by treaty provisions and the proceedings thereunder as aforesaid, from the forty-ninth parallel of north latitude along the middle of the channel which separates Vancouver's Island from the mainland and the middle of Haro Channel and of Fuca's Straits to the Pacific Ocean.

ARTICLE IX

General Provisions

The Commissioners appointed under the provisions of this Treaty shall proceed without delay to perform the duties assigned to them, but each Commissioner shall, before entering upon his duties, make oath in writing that he will impartially and faithfully perform his duties as such Commissioner.

In case a vacancy occurs in any of the Commissions constituted by this Treaty, by reason of the death, resignation, or other disability of a Commissioner, before the work of such Commission is completed, the vacancy so caused shall be filled forthwith by the appointment of another Commissioner by the party on whose side the vacancy occurs, and the Commissioner so appointed shall have the same powers and be subject to the same duties and obligations as the Commissioner originally appointed.

If a dispute or difference should arise about the location or demarcation of any portion of the boundary covered by the provisions of this Treaty and an agreement with respect thereto is not reached by the Commissioners charged herein with locating and marking such portion of the line, they shall make a report in writing jointly to both Governments, or severally each to his own Government, setting out fully the questions in dispute and the differences between them, but such Commissioners shall, nevertheless, proceed to carry on and complete as far as possible the work herein assigned to them with respect to the remaining portions of the line.

In case of such a disagreement between the Commissioners, the two Governments shall endeavor to agree upon an adjustment of the questions in dispute, and if an agreement is reached between the two Governments it shall be reduced to writing in the form of a protocol, and shall be communicated to the said Commissioners, who shall proceed to lay down and mark the boundary in accordance therewith, and as herein

provided, but without prejudice to the special provisions contained in Articles I and II regarding arbitration.

It is understood that under the foregoing articles the same persons will be appointed to carry out the delimitation of boundaries in the several sections aforesaid, other than the section covered by Article IV, unless either of the Contracting Powers finds it expedient for some reason which it may think sufficient to appoint some other person to be Commissioner for any one of the above mentioned sections.

Each Government shall pay the expenses of its own Commissioners and their assistants, and the cost of marking and monumenting the boundary shall be paid in equal moieties by the two Governments.

ARTICLE X

This Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged in Washington as soon as practicable.

In faith whereof the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the 11th day of April in the year of our Lord one thousand nine hundred and eight.

ELIHU ROOT [SEAL.]

JAMES BRYCE [SEAL.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A proclamation

Whereas, the customs and immigration laws of the United States can be better enforced and the public welfare thereby better advanced when the Federal Government has complete control of the use and occupation of lands abutting on international boundary lines;

Now, Therefore, I, THEODORE ROOSEVELT, President of the United States, do hereby proclaim and make known that all unpatented public lands of the United States, lying within sixty feet of the boundary line between the United States and the Dominion of Canada, are hereby declared to be, and are set apart as a public reservation, and shall hereafter be subject only to such rights as have been heretofore legally

acquired under settlements, entries, reservations, or other forms of appropriation, and are now existing, but shall not be subject at any time to any other claim, use, or occupation, except for public highways; and any patent issued for any legal subdivision, affected by this reservation under any claim hereafter initiated, shall contain a recital that it is issued subject to this proclamation.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 15th day of June, in the year of our Lord one thousand nine hundred and eight, and
[SEAL.] of the Independence of the United States the one hundred and thirty-second.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,
Secretary of State.

TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN CONCERN-
ING THE FISHERIES IN WATERS CONTIGUOUS TO THE UNITED STATES
AND THE DOMINION OF CANADA

Signed at Washington, April 11, 1908

The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, equally recognizing the desirability of uniform and effective measures for the protection, preservation, and propagation of the food fishes in the waters contiguous to the United States and the Dominion of Canada, have resolved to conclude a convention for these purposes, and have named as their Plenipotentiaries:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

His Britannic Majesty, the Right Honorable James Bryce, O. M., His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington:

Who, having exchanged their full powers, found in due form, have agreed to and signed the following articles:

ARTICLE I

The times, seasons, and methods of fishing in the waters contiguous to the United States and Canada as specified in Article IV of this Convention, and the nets, engines, gear, apparatus, and appliances which may be used therein, shall be fixed and determined by uniform and common international regulations, restrictions, and provisions; and to that end the High Contracting Parties agree to appoint, within three months after this Convention is proclaimed, a Commission to be known as the International Fisheries Commission, consisting of one person named by each Government.

ARTICLE II

It shall be the duty of this International Fisheries Commission, within six months after being named, to prepare a system of uniform and common International Regulations for the protection and preservation of the food fishes in each of the waters prescribed in Article IV of this Convention, which Regulations shall embrace close seasons, limitations as to the character, size, and manner of use of nets, engines, gear, apparatus, and other appliances; a uniform system of registry by each Government in waters where required for the more convenient regulation of commercial fishing by its own citizens or subjects within its own territorial waters or any part of such waters; an arrangement for concurrent measures for the propagation of fish; and such other provisions and measures as the Commission shall deem necessary.

ARTICLE III

The two Governments engage to put into operation and to enforce by legislation and executive action, with as little delay as possible, the Regulations, restrictions, and provisions with appropriate penalties for all breaches thereof; and the date when they shall be put into operation shall be fixed by the concurrent proclamations of the President of the United States and the Governor-General of the Dominion of Canada in Council.

And it is further agreed that jurisdiction shall be exercised by either Government, as well over citizens or subjects of either party apprehended for violation of the Regulations in any of its own waters to which said Regulations apply, as over its own citizens or subjects found within its own jurisdiction who shall have violated said Regulations within the waters of the other party.

ARTICLE IV

It is agreed that the waters within which the aforementioned Regulations are to be applied shall be as follows: (1) The territorial waters of Passamaquoddy Bay; (2) the St. John and St. Croix Rivers; (3) Lake Memphremagog; (4) Lake Champlain; (5) the St. Lawrence River, where the said River constitutes the International Boundary; (6) Lake Ontario; (7) the Niagara River; (8) Lake Erie; (9) the waters connecting Lake Erie and Lake Huron, including Lake St. Clair; (10) Lake Huron, excluding Georgian Bay but including North Channel; (11) St. Mary's River and Lake Superior; (12) Rainy River and Rainy Lake; (13) Lake of the Woods; (14) the Strait of San Juan de Fuca, those parts of Washington Sound, the Gulf of Georgia and Puget Sound lying between the parallels of 48° 10' and 49° 20'; (15) and such other contiguous waters as may be recommended by the International Fisheries Commission and approved by the two Governments. It is agreed on the part of Great Britain that the Canadian Government will protect by adequate regulations the food fishes frequenting the Fraser River.

The two Governments engage to have prepared as soon as practicable charts of the waters described in this Article, with the International Boundary Line indicated thereon; and to establish such additional boundary monuments, buoys, and marks as may be recommended by the Commission.

ARTICLE V

The International Fisheries Commission shall continue in existence so long as this Convention shall be in force, and each Government shall have the power to fill, and shall fill from time to time, any vacancy which may occur in its representation on the Commission. Each Government shall pay its own Commissioner, and any joint expenses shall be paid by the two Governments in equal moieties.

ARTICLE VI

The Regulations, restrictions, and provisions provided for in this Convention shall remain in force for a period of four years from the date of their executive promulgation, and thereafter until one year from the date when either the Government of the United States or of Great Britain shall give notice to the other of its desire for their revision; and immediately upon such notice being given the Commission shall proceed

to make a revision thereof, which Revised Regulations, if adopted and promulgated by the President of the United States and the Governor-General of Canada in Council, shall remain in force for another period of four years and thereafter until one year from the date when a further notice of revision is given as above provided in this Article. It shall, however, be in the power of the two Governments, by joint or concurrent action upon the recommendation of the Commission, to make modifications at any time in the Regulations.

ARTICLE VII

The present Convention shall be duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty, and the ratifications shall be exchanged in Washington as soon as practicable.

In faith whereof, the respective Plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Done at Washington the 11th day of April, in the year of our Lord one thousand nine hundred and eight.

ELIHU ROOT [SEAL.]

JAMES BRYCE [SEAL.]

AGREEMENT EFFECTED BY EXCHANGE OF NOTES BETWEEN UNITED STATES
AND GREAT BRITAIN IN REGARD TO THE NEWFOUNDLAND FISHERIES.

Signed at London, July 15-23, 1908.

The British Foreign Office to the American Ambassador.

FOREIGN OFFICE, *July 15, 1908.*

YOUR EXCELLENCY, On the 18th ultimo Your Excellency proposed on behalf of the United States Government that, as arbitration in regard to the Newfoundland fisheries question could not be arranged before the forthcoming fishery season, the "modus vivendi" of last year should be renewed with the same elasticity as before for the parties concerned to make local arrangements satisfactory to both sides.

I have the honor to inform Your Excellency that the Newfoundland government, having been consulted on the subject, have expressed the desire that the herring fishery during the ensuing season should be commenced on the same principles as in the season of 1907, and formally undertake to permit during this year the conduct of the herring fishery as last year.

As the arrangements for last year were admittedly satisfactory to all concerned in the fishing, His Majesty's Government hope that the United States Government will see their way to accept this formal assurance on the part of the Newfoundland government as a satisfactory arrangement for the season of 1908. If this course be adopted it would seem unnecessary to enter into any further formal arrangements, seeing that the communication of this assurance to the United States Government and its acceptance by them would be tantamount to a modus vivendi.

I have the honor to be, with the highest consideration, your excellency's most obedient, humble servant,

For Sir EDWARD GREY,
LOUIS MALLET.

His excellency the Honorable Whitelaw Reid, etc., etc., etc.

The American Ambassador to the British Foreign Office.

AMERICAN EMBASSY, London, July 23, 1908.

SIR, The reply, in your letter of July 15, 1908, to my proposal of June 18th, for a renewal of last year's modus vivendi for the approaching Newfoundland fisheries season, with the same elasticity as before for local arrangements, has been duly considered.

I am gratified to learn that the Newfoundland Government was so well satisfied with the result of these arrangements under the modus vivendi for last year that it offers a formal undertaking that the American fishermen shall be permitted to conduct the herring fisheries this year in the same way.

It is proper to observe that our fishermen would have preferred last year, and would prefer now to work the fisheries with purse seines, as heretofore, as provided in the modus vivendi. But they yielded last year to the strong wishes of the Newfoundland Government in this matter, and joined in the arrangement under the elastic clause at the close of the modus vivendi by which, with the approval of the British and American Governments, they gave up the use of purse seines in return for certain concessions. I must reserve their right to this use, as heretofore enjoyed, as not now abandoned, and therefore to be duly considered in the pending arbitration before the Hague Tribunal.

But with this reservation and with the approval of my Government, I now have pleasure in accepting the offer that the herring fishery during the ensuing season shall be conducted on the same principles as in the season of 1907, and the formal undertaking against interference with this by the Newfoundland Government, as a substantial agreement on my proposal of June 18th.

We unite also with you in regarding this exchange of letters as constituting in itself a satisfactory agreement for the season of 1908, without the necessity for any further formal correspondence.

I am glad to add that Mr. Alexander of the United States Fish Commission, will be sent again this year to the treaty shore, and that my Government feels sure that, through his influence, there will be general willingness to carry out the spirit of the understanding, and work on the lines of least resistance.

I have the honor to be, with the highest consideration, Sir, your most obedient humble servant,

WHITELAW REID.

The right honorable Sir EDWARD GREY, Bart., etc., etc., etc.

[MODUS VIVENDI BETWEEN THE UNITED STATES AND GREAT BRITAIN IN REGARD TO
INSHORE FISHERIES ON THE TREATY COAST OF NEWFOUNDLAND.]

(Agreement effected by exchange of notes at London September 4-6, 1907.)

The American Ambassador to the British Foreign Office.

AMERICAN EMBASSY, London, September 4, 1907.

SIR: I am authorized by my Government to ratify a *Modus Vivendi* in regard to the Newfoundland fishery question, as follows:

It is agreed that the fisheries shall be carried on during the present year substantially as they were actually carried on for the most of the time by mutual agreement, under the *Modus Vivendi* of 1906.

(1) It is understood that His Majesty's Government will not bring into force the Newfoundland foreign fishing vessels act of 1906, which imposes on American fishing vessels certain restrictions in addition to those imposed by the act of 1905, and also that the provisions of the first part of Section One of the act of 1905, as to boarding and bringing into port, and also the whole of Section three of the same act, will not be regarded as applying to American fishing vessels.

(2) In consideration of the fact that the shipment of Newfoundlanders by American fishermen outside the three-mile limit is not to be made the basis of interference or to be penalized, my Government waives the use of purse seines by American fishermen during the term governed by this agreement, and also waives the right to fish on Sundays.

(3) It is understood that American fishing vessels will make their shipment of Newfoundlanders, as fishermen, sufficiently far from the exact three-mile limit to avoid reasonable doubt.

(4) It is further understood that American fishermen will pay light dues when not deprived of their rights to fish, and will comply with the provisions of the colonial customs law as to reporting at a custom house when physically possible to do so.

I need not add that my Government is most anxious that the provisions of this *Modus Vivendi* should be made effective at the earliest possible moment, and that, in view of this, and of the actual presence of our fishing fleet on the treaty shore, we do not feel that an exchange of ratifications should be longer delayed. But my Government has every desire to make the arrangement, pending arbitration, as agreeable as possible to the Newfoundland authorities consistent with the due safeguarding of treaty rights which we have enjoyed for nearly a century. If, therefore, the proposals you have recently shown me from the Premier of Newfoundland or any other changes in the above *Modus Vivendi* should be proposed by mutual agreement between the Newfoundland authorities and our fishermen, having due regard to the losses that might be incurred by a change of plans so long after preparations for the season's fishing had been made and the voyage begun, my Government will be ready to consider such changes with you in the most friendly spirit, and if found not to compromise our rights, to unite with you in ratifying them at once.

I am glad to be assured by you that this note will be considered as sufficient ratification of the *Modus Vivendi* on the part of my Government.

I have the honor to be, with the highest consideration, Sir, Your most obedient humble servant,

WHITELAW REID.

The Right Honorable Sir EDWARD GREY, Baronet, &c &c &c

The British Foreign Office to the American Ambassador.

FOREIGN OFFICE, September 6th, 1907

YOUR EXCELLENCY. I have the honour to acknowledge the receipt of Your Excellency's note of the 4th instanc, containing the terms of the *Modus Vivendi* with regard to the Newfoundland fisheries,— which you are authorized by your Government to ratify.

I am glad to assure your Excellency that His Majesty's Government agrees to the terms of the *Modus Vivendi* and that your Excellency's note will be considered by His Majesty's Government as a sufficient ratification of that arrangement on the part of His Majesty's Government.

His Majesty's Government fully shares the desire of your Government that the provisions of the *Modus Vivendi* should be made effective at the earliest possible moment, and the necessary steps will be taken by His Majesty's Government to secure its observance.

His Majesty's Government takes note of the conciliatory offer of the United States Government to consider in a most friendly spirit any changes in the *Modus Vivendi* which may be agreed upon locally between the Newfoundland authorities and the United States fishermen and which may be acceptable both to the United States Government and to His Majesty's Government.

I have the honour to be, with the highest consideration, Your Excellency's most obedient humble servant,

E. GREY.

His Excellency The Honorable WHITELAW REID, &c &c &c

AN ARBITRATION CONVENTION BETWEEN THE UNITED STATES AND SWITZERLAND.

Signed at Washington, February 29, 1908.

The Government of the United States of America and the Government of the Swiss Confederation, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of con-

cluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Switzerland, by the Federal Council of the Swiss Confederation, with the advice and consent of the Federal Assembly.

ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of the ratifications.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Government of the Swiss Confederation in accordance with its constitution and laws.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and French languages, at Washington, this twenty-ninth day of February, in the year 1908.

ELIHU ROOT. [SEAL.]

L. VOGEL. [SEAL.]

AN ARBITRATION CONVENTION BETWEEN THE UNITED STATES AND ITALY.

Signed at Washington on March 28, 1908.

The Government of the United States of America and the Government of His Majesty the King of Italy, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following Convention:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of either of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof.

ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the

Senate thereof; and by the Government of His Majesty the King of Italy in accordance with its constitution and laws. The ratifications shall be exchanged at Washington as soon as possible, and the Conventions shall take effect on the date of the exchange of its ratifications.

Done in duplicate at the City of Washington in the English and Italian languages, this twenty-eighth day of March, in the year 1908.

ELIHU ROOT [SEAL]
MAYOR [SEAL]

AN ARBITRATION CONVENTION BETWEEN THE UNITED STATES AND
PORTUGAL.

Signed at Washington on April 6, 1908.

The Government of the United States of America and the Government of Portugal, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of either of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States, such special agreements will be made

by the President of the United States by and with the advice and consent of the Senate thereof.

ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of Portugal in accordance with the constitutional laws of the Kingdom.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and Portuguese languages at Washington, this 6th day of April, one thousand nine hundred and eight.

ELIHU ROOT [SEAL]

ALTE [SEAL]

AN ARBITRATION CONVENTION BETWEEN THE UNITED STATES AND THE NETHERLANDS.

Signed at Washington on May 2, 1908.

The Government of the United States of America and Her Majesty the Queen of the Netherlands, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on July 29, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have appointed as their Plenipotentiaries to conclude the following agreement, to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

Her Majesty the Queen of the Netherlands, Mr. W. A. Royaards, Counselor of Legation and Chargé d'Affaires *ad interim* of the Netherlands at Washington;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed on the following articles:

ARTICLE I.

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of the Netherlands they will be subject to the procedure required by the constitutional laws of the Netherlands.

ARTICLE III.

This Convention is concluded for a period of five years, counting from the date of the exchange of ratifications, which shall take place as soon as possible.

Done in duplicate at Washington, in the English and Dutch languages, this second day of May, 1908.

ELIHU ROOT [SEAL]
W. A. ROYAAARDS [SEAL]

AN ARBITRATION TREATY BETWEEN THE UNITED STATES AND DENMARK.

Signed at Washington, May 18, 1908.

The Government of the United States of America and His Majesty the King of Denmark, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Denmark by the King in such forms and conditions as He may find requisite or appropriate.

ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of the ratifications.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of Denmark.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and Danish languages, at Washington, this 18th day of May in the year 1908.

ROBERT BACON. [SEAL.]

C. BRUN. [SEAL.]

COMMERCIAL AGREEMENT BETWEEN THE UNITED STATES AND THE
NETHERLANDS.

(Under Section 3, Tariff Act, July 24, 1897.)

Signed at Washington, May 16, 1907.

The President of the United States and Her Majesty the Queen of the Netherlands, mutually desiring by means of a Commercial Agreement to facilitate the commercial intercourse between the two countries, have appointed for that purpose their respective plenipotentiaries, namely:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

Her Majesty the Queen of the Netherlands, Jonkheer R. de Marees van Swinderen, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, having exchanged their respective full powers, which were found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed on the part of the United States, pursuant to and in accordance with the provisions of the third section of the Tariff Act of the United States approved July 24, 1897, and in consideration of the concessions hereinafter made on the part of the Netherlands in favor of the products of the soil and industry of the United States, that brandies, or other spirits manufactured or distilled from grain or other materials, products of the industry of the Netherlands imported into the United States, shall, from and after the date when this Agreement shall be put in force, be subject to the reduced tariff duty provided by said Section 3, namely, one dollar and seventy-five cents per proof gallon.

ARTICLE II.

Reciprocally and in consideration of the preceding concession, the Royal Government of the Netherlands agrees that, during the continuance in force of this Agreement, the duties imposed upon the following named products of the industry of the United States imported into the Netherlands shall not exceed the tariff rates hereinafter specified, viz:

Upon mutton, salt pork, and salted bacon, 0.75 florin per 100 kilograms.

Upon mutton, salt pork, and salted bacon, when smoked or dried, 1 florin per 100 kilograms.

ARTICLE III.

The Royal Government of the Netherlands further guarantees to continue to admit into the Netherlands during the aforesaid period canned meats manufactured in the United States in packages weighing more than four pounds (English) at the rates of duty hitherto levied, namely: one, six, and eight florins per one hundred kilograms, according to quality and the distinctions made in the Tariff of the Netherlands respecting meats, although entitled under strict application of the law to levy upon such canned meats a duty of twenty-five florins per one hundred kilograms.

ARTICLE IV.

It is mutually agreed by the High Contracting Parties that in the event that the Royal Government of the Netherlands shall, at any time during the continuance in force of this Agreement, withdraw from any product of the soil or industry of the United States imported into the Netherlands the benefit of the lowest tariff rates imposed by the Netherlands upon a like product of any other origin, either Party shall thereupon have the right to terminate this Agreement upon giving to the other three months' prior notice of its intention to do so.

ARTICLE V.

It is further agreed on the part of the United States that the instructions to the Customs Officers set forth in the annexed diplomatic note and made a part of the consideration of this Agreement shall go into effect not later than July 1, 1907.

ARTICLE VI.

This Agreement shall be ratified by the Royal Government of the Netherlands as soon as possible, and upon official notice thereof the President of the United States shall issue his proclamation giving full effect to the provisions of Article I of this Agreement. From and after the date of such proclamation this Agreement shall be in full force and effect, and shall continue in force until one year from the date when either Party shall notify the other of its intention to terminate the same.

Done in duplicate, in the English and Dutch languages, at Washington this 16th day of May, one thousand nine hundred and seven.

ELIHU ROOT [SEAL]

R DE MAREES VAN SWINDEREN [SEAL]

DEPARTMENT OF STATE,

Washington, May 16, 1907.

SIR: Referring to the Commercial Agreement signed this day between the Government of the Netherlands and the Government of the United States, I have the honor to inform you that instructions will be issued to the Customs Officers of the United States to the following effect: —

“Market value as defined by section 19 of the Customs Administrative Act shall be construed to mean the export price whenever goods, wares, and merchandise are sold wholly for export, or sold in the home market only in limited quantities, by reason of which facts there can not be established a market value based upon the sale of such goods, wares, and merchandise in usual wholesale qualities, packed ready for shipment to the United States.”

These instructions shall take effect not later than July 1, 1907, and shall remain in force thereafter for the term of the aforesaid Agreement. In pursuance thereof the export price of Maastricht pottery imported into the United States from the Netherlands under the conditions described in your Note of March 23, 1907, shall be accepted by the customs officers of the United States as the true market value of the aforesaid articles of merchandise.

Receive, Mr. Minister, the renewed assurance of my highest consideration.

ELIHU ROOT

JONKHEER R. DE MAREES VAN SWINDEREN,
Minister of the Netherlands.

ADDITIONAL COMMERCIAL AGREEMENT BETWEEN FRANCE AND THE UNITED STATES.

Signed at Washington, January 28, 1908.

The Government of the United States of America and the Government of the French Republic, considering it appropriate to supplement by a new additional Agreement the Commercial Agreements signed between the two countries, at Washington, on May 28, 1898, and August 20, 1902, respectively, have appointed as their Plenipotentiaries, to wit:

The President of the United States of America, the Honorable Elihu Root, Secretary of State of the United States; and

The President of the French Republic, His Excellency J. J. Jusserand, Ambassador of the French Republic to the United States of America,

Who, after an exchange of their respective full powers, found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

It is agreed, on the part of the French Government, that the application of the duties of the general tariff to coffee, cacao, chocolate, vanilla and other food products known in the French tariff law as "*denrées coloniales de consommation*," except sugar and its by-products and tobacco, products of the United States, including Porto Rico, shall be conditionally suspended and that the said products shall be admitted into France and Algeria at the rates of the minimum tariff or at the lowest rates applied to the like products of any other foreign origin.

In addition, mineral oils from the United States and coming under the decree of July 7, 1893, shall upon entry into France and Algeria enjoy the benefits of the lowest rates of duty.

But it is expressly understood that these concessions may be withdrawn in the discretion of the President of the French Republic whenever additional duties beyond those now existing and which may be deemed by him unjust to the commerce of France shall be imposed by the United States on products of France.

ARTICLE II.

It is reciprocally agreed on the part of the United States, in accordance with the provisions of Section 3 of the United States Tariff Act of 1897, that the rates of duty heretofore imposed and collected, under the said Act, on Champagne and all other French sparkling wines upon entering the United States and the Island of Porto Rico shall be conditionally suspended and, instead, the following duties shall be imposed and collected, to wit:

On Champagne and all other sparkling wines, in bottle containing not more than one quart and more than one pint, six dollars per dozen; containing not more than one pint each and more than one-half pint, three dollars per dozen; containing one-half pint each or less, one dollar and fifty cents per dozen; in bottles or other vessels containing more than one quart each, in addition to six dollars per dozen bottles on the quantities

in excess of one quart, at the rate of one dollar and ninety cents per gallon.

But it is expressly understood that this concession may be withdrawn in the discretion of the President of the United States whenever additional duties beyond those now existing and which may be deemed by him unjust to the commerce of the United States shall be imposed by France on products of the United States.

ARTICLE III.

It is further agreed that, inasmuch as complaints have arisen in both countries regarding the effect of the regulations in force in the respective countries affecting the admission of each other's products, and to the end that if there be in the regulations of either country any provisions which unnecessarily restrict trade, such provisions may be modified, and the cause of complaint removed, a commission of three experts shall be appointed by the Government of the United States and a like commission of three experts shall be appointed by the Government of France. Such Commissions shall in conference each with the other inquire into and ascertain fully the existing conditions in each country as bearing upon the necessity of the regulations affecting the trade of the other country and as bearing upon the practicability of reciprocal tariff concessions. Each commission shall report to its own Government thereon.

It is further agreed that upon the basis of the report so made the two Governments shall enter upon an exchange of views to the end that if possible all cause of complaint in their respective regulations regarding the admission of any of the products of either country to the other may be removed.

ARTICLE IV.

This additional Agreement shall take effect and be in force on and after the first day of February, one thousand nine hundred and eight, and shall continue in force so long as the Agreements signed on May 28, 1898, and August 20, 1902, shall remain in force.

Done in duplicate in English and French texts at Washington, this twenty-eighth day of January, one thousand nine hundred and eight.

ELIHU ROOT [SEAL]

JUSSERAND [SEAL]

CONVENTION BETWEEN THE UNITED STATES AND SALVADOR CONCERNING
NATURALIZATION.

Signed at San Salvador, March 14, 1908.

Convention to fix the condition of naturalized citizens who renew their residence in the country of their origin.

The President of the United States of America and the President of the Republic of Salvador, desiring to regulate the citizenship of those persons who emigrate from the United States of America to Salvador, and from Salvador to the United States of America, have resolved to conclude a convention on this subject and for that purpose have appointed their plenipotentiaries to conclude a convention, that is to say: the President of the United States of America, John Hanaford Gregory, Jr., Chargé d'Affaires ad interim of the United States at Salvador; and the President of Salvador, señor doctor don Salvador Rodríguez González, Minister for Foreign Affairs, who have agreed to and signed the following Articles:

ARTICLE I.

Citizens of the United States who may or shall have been naturalized in Salvador, upon their own application or by their own consent, will be considered by the United States as citizens of the Republic of Salvador. Reciprocally, Salvadoreans who may or shall have been naturalized in the United States upon their own application or with their own consent, will be considered by the Republic of Salvador as citizens of the United States.

ARTICLE II.

If a Salvadorean, naturalized in the United States of America, renews his residence in Salvador, without intent to return to the United States, he may be held to have renounced his naturalization in the United States. Reciprocally, if a citizen of the United States, naturalized in Salvador, renews his residence in the United States, without intent to return to Salvador, he may be presumed to have renounced his naturalization in Salvador.

The intent not to return may be held to exist when the person naturalized in the one country, resides more than two years in the other country, but this presumption may be destroyed by evidence to the contrary.

ARTICLE III.

It is mutually agreed that the definition of the word "citizen," as used in this convention, shall be held to mean a person to whom nationality of the United States or Salvador attaches.

ARTICLE IV.

A recognized citizen of the one party, returning to the territory of the other, remains liable to trial and legal punishment for an action punishable by the laws of his original country and committed before his emigration; but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

ARTICLE V.

The declaration of intention to become a citizen of the one or the other country has not for either party the effect of naturalization.

ARTICLE VI.

The present convention shall go into effect immediately on the exchange of ratifications, and in the event of either party giving the other notice of its intention to terminate the convention it shall continue to be in effect for one year more, to count from the date of such notice.

The present convention shall be submitted to the approval and ratification of the respective appropriate authorities of each of the contracting parties, and the ratifications shall be exchanged at San Salvador or Washington within twenty-four months of the date hereof.

Signed at the city of San Salvador, on the fourteenth day of March, one thousand nine hundred and eight.

JOHN HANAFORD GREGORY JR. [SEAL.]

SALVADOR RODRIGUEZ G [SEAL.]

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF
SAN MARINO FOR THE MUTUAL EXTRADITION OF FUGITIVE CRIMINALS.

Signed at Rome, January 10, 1906.

The United States of America and the Republic of San Marino having judged it expedient with a view to the better administration of justice and the prevention of crime within their respective territories and juris-

dictions, that persons charged with or convicted of the crimes and offences hereinafter enumerated, and being fugitive from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries:

The President of the United States of America, His Excellency, Henry White, Ambassador Extraordinary and Plenipotentiary to the Kingdom of Italy;

The Captains-Regent of the Republic of San Marino, His Excellency, Senator Cavaliere Gaspare Finali, Cavaliere of the Supreme Order of the S. S. Annunziata, etc. etc. Political Counsellor of the Republic of San Marino:

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The Government of the United States and the Government of San Marino mutually agree to deliver up persons who, having been charged, as principals or accessories, with or convicted of any of the crimes and offences specified in the following article committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: Provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime had been there committed.

ARTICLE II.

Persons shall be delivered up who shall have been convicted of or be charged, according to the provisions of this convention, with any of the following crimes:

1. Murder, comprehending the crime of parricide, assassination, poisoning and infanticide.
2. The attempt to commit murder.
3. Rape, or attempt to commit rape. Bigamy. Abortion.
4. Arson.
5. Piracy, or mutiny on shipboard whenever the crew, or part thereof, shall have taken possession of the vessel by fraud or by violence against the commander.

6. Larceny; the crime of burglary, defined to be the act of breaking and entering by night into the house of another with the intent to commit felony; and the crime of robbery, defined to be the act of feloniously and forcibly taking from the person of another money or goods by violence or putting him in fear; and the corresponding crimes punished by the penal code of San Marino under the description of thefts committed in an inhabited house by night, and by breaking in by climbing or forcibly, and thefts committed with violence or by means of threats.

7. The crime of forgery, by which is understood the utterance of forged papers, and also the counterfeiting of public, sovereign, or governmental acts.

8. The fabrication or circulation of counterfeit money either coin or paper, or of counterfeit public bonds, coupons of the public debt, bank notes, obligations, or in general anything being a title or instrument of credit; the counterfeiting of seals and dies, impressions, stamps, and marks of State and public administrations, and the utterance thereof.

9. The embezzlement of public moneys committed within the jurisdiction of either party by public officers or depositaries.

10. Embezzlement by any person or persons hired or salaried to the detriment of their employers, when the crime is subject to punishment by the laws of the place where it was committed, and the amount of money or the value of the property embezzled is not less than two hundred dollars or one thousand francs.

11. Wilful and unlawful destruction or obstruction of railroads which endangers human life.

12. Obtaining money, valuable securities or other property by false pretences, when such act is made criminal by the laws of both countries and the amount of money or the value of the property fraudulently obtained is not less than two hundred dollars or one thousand francs.

13. Kidnapping of minors.

14. Reception of articles obtained by means of one of the crimes or offences provided for by the present Convention.

Extradition may also be granted for the attempt to commit any of the crimes above enumerated when such attempt is punishable by the laws of both contracting parties.

ARTICLE III.

A person surrendered under this Convention shall not be tried or punished in the country to which his extradition has been granted, nor given

up to a third power for a crime or offence not provided for by the present Convention and committed previously to his extradition, until he shall have been allowed one month to leave the country after having been discharged; and, if he shall have been tried and condemned to punishment, he shall be allowed one month after having suffered his penalty or having been pardoned.

He shall moreover not be tried or punished for any crime or offence provided for by this Convention committed previous to his extradition, other than that which gave rise to the extradition, without the consent of the government which surrendered him, which may, if it think proper, require the production of one of the documents mentioned in Article VII, of this convention.

The consent of that government shall likewise be required for the extradition of the accused to a third country; nevertheless, such consent shall not be necessary when the accused shall have asked of his own accord to be tried or to undergo his punishment, or when he shall not have left within the space of one month above specified the territory of the country to which he had been surrendered.

ARTICLE IV.

The provisions of this convention shall not be applicable to persons guilty of any political crime or offence or of one connected with such a crime or offence. A person who has been surrendered on account of one of the common crimes or offences mentioned in Article II, shall consequently in no case be prosecuted and punished in the state to which his extradition has been granted on account of a political crime or offence committed by him previously to his extradition or on account of an act connected with such a political crime or offence, unless he has been at liberty to leave the country for one month after having been tried and, in case of condemnation, for one month after having suffered his punishment or having been pardoned.

ARTICLE V.

Neither of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this convention.

ARTICLE VI.

If the person whose surrender may be claimed pursuant to the stipulations of the present treaty shall have been arrested for the commission of offences in the country where he has sought an asylum, or shall have

been convicted thereof, his extradition may be deferred until he shall have been acquitted or have served the term of imprisonment, to which he may have been sentenced.

ARTICLE VII.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these, from the country or its seat of government, they may be made by superior consular officers.

If the person, whose extradition may be asked for, shall have been convicted of a crime or offence, a copy of the sentence of the judicial authority, by whom he may have been convicted, authenticated under its seal, and attestation of the official character of the judge by the proper executive authority, and of the latter by the minister or consul of the United States or of San Marino respectively, shall accompany the requisition. When, however, the fugitive shall have been merely charged with crime, a duly authenticated copy of the warrant for his arrest in the country where the crime may have been committed, and of the depositions upon which such warrant may have been issued, must accompany the requisition as aforesaid.

It shall be lawful for any competent judicial authority of the United States, upon production of a certificate issued by the Secretary of State stating that a request has been made by the Government of San Marino for the provisional arrest of a person convicted or accused of the commission therein of a crime or offence extraditable under the provisions of this convention, and upon complaint duly made that such crime or offence has been so committed, to issue his warrant for the apprehension of such person. But if the demand for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by the competent consular officer, within forty days from the date of the commitment of the fugitive, the prisoner shall be discharged from custody.

And the Government of San Marino will, upon request of the Government of the United States, transmitted through the diplomatic agent of the United States, or, in his absence, through the competent consular officer, secure in conformity with law the provisional arrest of persons convicted or accused of the commission therein of crimes or offences extraditable under this Convention. But if the demand for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid

by the diplomatic agent of the demanding government, or, in his absence, by the competent consular officer, within forty days from the date of the commitment of the fugitive, the prisoner shall be discharged from custody.

ARTICLE VIII.

The expenses of the arrest, detention, examination and delivery of fugitives under this convention shall be borne by the State, in whose name the extradition is sought; Provided, that the demanding Government shall not be compelled to bear any expense for the services of such officers of the government from which extradition is sought as receive a fixed salary; and provided that the charge for the services of such public officials as receive only fees shall not exceed the fees to which such officials are entitled under the laws of the country for services rendered in ordinary criminal proceedings.

ARTICLE IX.

Extradition shall not be granted, in pursuance of the provisions of this convention, if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE X.

All articles found in the possession of the accused party and obtained through the commission of the act with which he is charged, or that may be used as evidence of the crime for which his extradition is demanded, shall be seized if the competent authority shall so order, and shall be surrendered with his person.

The rights of third parties to the articles so found shall nevertheless be respected.

ARTICLE XI.

The present convention shall take effect thirty days after the exchange of ratifications and shall continue to have binding force for six months after a desire for its termination shall have been expressed in due form by one of the two governments to the other.

It shall be ratified and its ratification shall be exchanged at Rome as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the above articles both in the English and Italian languages, and they have hereunto affixed their seals.

Done, in duplicate, at Rome, Italy, this 10th day of January, 1906.

[L. S.] HENRY WHITE

[L. S.] GASPARE FINALI

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE ORIENTAL REPUBLIC OF URUGUAY PROVIDING FOR THE MUTUAL EXTRADITION OF FUGITIVES FROM JUSTICE.

Signed at Washington, March 11, 1905.

The President of the United States of America and the President of the Oriental Republic of Uruguay, being animated by the desire to secure and promote the well-being and tranquillity of their respective countries by facilitating the just, prompt, and efficacious administration of justice, by preventing crimes and offenses, and by regulating the surrender of the authors thereof who may seek asylum within their respective territories, have agreed to conclude a treaty and for this purpose have appointed as their plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of the Oriental Republic of Uruguay, Mr. Eduardo Acevedo Diaz, his Envoy Extraordinary and Minister Plenipotentiary accredited to the United States of America and to Mexico;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed on the following articles:

ARTICLE I.

The high contracting parties obligate themselves to deliver up mutually to each other, under the circumstances and conditions stipulated in the present treaty, all persons, except their own citizens, who, having been charged or sentenced for any of the crimes or offenses enumerated in Article II and committed within the territory of one of the parties, shall be found within the territory of the other.

ARTICLE II.

1. Murder, comprehending assassination, parricide, infanticide, poisoning, and manslaughter, when voluntary; or the attempt to commit any of these crimes.

2. Abortion.

3. Arson.

4. Piracy, or mutiny on shipboard whenever the crew, or part thereof, shall have taken possession of the vessel by fraud or violence against the commander.

5. Forgery, or the utterance of forged papers; the forgery of official

acts of government, of public authorities, or of courts of justice, or the utterance of the thing forged or falsified.

The counterfeiting or falsifying of money, whether coin or paper, or of instruments of debt created by national, State, provincial, or municipal governments, or of coupons thereof, or of bank notes, or the utterance or circulation of these; the counterfeiting, falsifying, or altering of seals of state.

6. Embezzlement of public moneys by public functionaries or depositaries, embezzlement by persons hired or salaried, to the detriment of their employers or principals; larceny; where in either class of cases the amount embezzled or stolen exceeds the sum of two hundred dollars.

7. Burglary; housebreaking; shopbreaking.

8. Robbery, defined to be the act of feloniously and forcibly taking from the person of another money, or goods, by violence or putting him in fear.

9. Rape.

10. Bigamy.

11. Kidnapping; abduction.

12. Perjury and subornation of perjury.

13. Bribery, defined to be the giving, offering, or receiving of a reward to influence one in the discharge of a legal duty.

14. Willful and unlawful destruction or obstruction of railroads which endangers human life.

Extradition is also to take place for participation in any of the crimes and offenses mentioned in this treaty, provided such participation may be punished in the United States as a felony, and in Uruguay by imprisonment at hard labor.

ARTICLE III.

Political crimes and misdemeanors are expressly excepted from the present treaty.

A person whose surrender has been granted shall not in any case be either prosecuted or punished for any political crime or act connected therewith, committed previous to the extradition.

Neither shall he be prosecuted or punished for any crime committed previous to that on which the surrender is based, unless the nation of which the demand is made so grants.

If any question shall arise as to whether a case comes within the provisions of this article, the decision of the authorities of the Government on which the demand for surrender is made, or which may have granted the extradition, shall be final.

ARTICLE IV.

Where the arrest and detention of a fugitive are desired on telegraphic or other information in advance of the presentation of formal proofs, the proper course in the United States shall be for an agent of the Uruguayan Government to apply to a judge or other magistrate authorized to issue warrants of arrest in extradition cases, and present a complaint on oath as provided by the statutes of the United States.

When under the provisions of this article the arrest and detention of a fugitive are desired in Uruguay, the proper course shall be to apply to the Foreign office, which will immediately cause the necessary steps to be taken to secure the provisional arrest and detention of the fugitive.

The provisional detention of a fugitive shall cease and the prisoner be released if a formal requisition for his surrender, accompanied by the necessary evidence of his criminality, has not been produced under the stipulations of this treaty within a period of sixty days from the date of provisional arrest and detention.

ARTICLE V.

Requisitions for extradition must be presented by the diplomatic agent of the country of which the request is made, or in case of his absence by the superior consular officer thereof, to the Ministry of Foreign Relations, and shall be accompanied, in the case of persons charged or under trial, by an authenticated copy of the warrant of arrest and of the evidence upon which it is based, as well as of the penal law applicable to the offense giving rise to the request, and, whenever possible, by a description of the person claimed.

With regard to sentenced persons, duly authenticated evidence of the sentence convicting them should be presented.

In the Oriental Republic of Uruguay the procedure shall be as follows:

The Ministry of Foreign Relations shall transmit the above-mentioned documents to the Superior Court of Justice, which, in turn, if it deems that the request for extradition is sufficiently well founded, shall turn it over to the judge having jurisdiction of the crime for execution. The latter functionary shall have authority to order the detention of the criminal, to take his deposition, consider his defense, and weigh the facts presented in accordance with the laws of the country; and if it turns out that the evidence presented is sufficient to warrant his imprisonment, the conditions required by the treaty having been fulfilled, he shall issue the order for his surrender, notifying the fact to the Executive, who

thereupon dictates the measures necessary in order that the fugitive may be placed at the disposal of the demanding Government.

The expenses incurred in the arrest, detention, examination, and delivery of fugitives under this treaty shall be borne by the State in whose name the extradition is sought.

ARTICLE VI.

All articles at the time of apprehension in the possession of the person demanded, whether being the proceeds of the crime or offense charged, or being material as evidence in making proof of the crime or offense, shall, so far as practicable in conformity with the laws of the respective countries, be given up when the extradition takes place. Nevertheless, the rights of third parties with respect to such articles shall be duly respected.

ARTICLE VII.

Extradition may be refused when the penalty or right of action for the crime imputed to the person claimed shall have become barred by limitation according to the laws of the country in which he is seeking refuge.

ARTICLE VIII.

If the accused or convicted party whose extradition is demanded by one of the high contracting parties in accordance with the present treaty should also be claimed by another or other governments as a result of crimes committed within their respective territories, he shall be delivered to the government of the country in which he shall have committed the gravest crime; provided that the government from which extradition is sought is not bound by treaty to give preference otherwise.

ARTICLE IX.

If the person claimed should be under trial for a crime or offense committed in the country in which he is seeking refuge, his extradition shall be deferred until the trial he is undergoing is concluded, or until he suffers the penalty imposed upon him. The same shall happen if he is serving a previous sentence at the time his extradition is demanded.

ARTICLE X.

The obligation to grant extradition shall not in any case extend to the citizens of the two parties, but the executive authority of each shall have power to deliver them up, if, in its discretion, it is deemed proper to do so.

ARTICLE XI.

The Government of the United States and that of Uruguay agree to notify each other of the result of the trials of all persons surrendered under this treaty.

ARTICLE XII.

The provisions of the present treaty shall not apply to crimes or offenses committed prior to its date.

ARTICLE XIII.

The present treaty may be denounced by either of the high contracting parties by giving notice one year in advance.

ARTICLE XIV.

The present treaty shall be ratified and its ratifications exchanged at as early a day as possible.

In witness whereof, the respective Plenipotentiaries have signed the above articles, both in the English and Spanish languages, and hereunto affixed their seals.

Done in duplicate, at the City of Washington this 11th day of March, one thousand nine hundred and five.

JOHN HAY [SEAL]
ED° ACEVEDO DÍAZ. [SEAL]

TREATY BETWEEN THE UNITED STATES AND JAPAN CONCERNING THE
PROTECTION OF TRADE-MARKS, ETC., IN CHINA.

Signed at Washington, May 19, 1908.

The President of the United States of America and His Majesty the Emperor of Japan being desirous to secure in China reciprocal protection for the inventions, designs, trade marks and copyrights of their respective citizens and subjects have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His

Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Inventions, designs and trade marks duly patented or registered by citizens or subjects of one High Contracting Party in the appropriate office of the other Contracting Party shall have in all parts of China the same protection against infringement by citizens or subjects of such other Contracting Party as in the dominions and possessions of such other Contracting Party.

ARTICLE II.

The citizens or subjects of each of the two High Contracting Parties shall enjoy in China the protection of copyright for their works of literature and art as well as photographs to the same extent as they are protected in the dominions and possessions of the other party.

ARTICLE III.

In case of infringement in China by a citizen or subject of one of the two High Contracting Parties of any invention, design, trade mark or copyright entitled to protection in virtue of this convention the aggrieved party shall have in the competent territorial or consular courts of such Contracting Party the same rights and remedies as citizens or subjects of such Contracting Party.

ARTICLE IV.

Each High Contracting Party engages to extend to the citizens or subjects of the other Contracting Party the same treatment in China in the matter of protection of their commercial names as they enjoy in the dominions and possessions of such Contracting Party under the convention for the protection of industrial property signed at Paris March 20, 1883. "Hong" marks shall be considered to be commercial names for the purpose of this convention.

ARTICLE V.

Citizens of possessions belonging to the United States and subjects of Korea shall have in China the same treatment under the present convention as citizens of the United States and subjects of Japan respectively.

ARTICLE VI.

It is mutually agreed between the High Contracting Parties that the present convention shall be enforced so far as applicable in any other country in which either Contracting Party may exercise extraterritorial jurisdiction.

All rights growing out of the present convention shall be recognized in the insular and other possessions and leased territories of the High Contracting Parties and all legal remedies provided for the protection of such rights shall be duly enforced by the competent courts.

ARTICLE VII.

Any person amenable to the provisions of this convention who possesses at the time the present convention comes into force merchandise bearing an imitation of a trade mark owned by another person and entitled to protection under said convention shall remove or cancel such false trade mark or withdraw such merchandise from market in China within six months from the date of the enforcement of this convention.

ARTICLE VIII.

Unauthorized reproductions by the citizens or subjects of one High Contracting Party prior to the operation of this convention of the works of literature and art as well as photographs of the citizens or subjects of the other Contracting Party published after the 10th day of May, 1906, and entitled to protection in virtue of this convention shall be withdrawn from sale or circulation in China within one year from the date of the enforcement of this convention.

ARTICLE IX.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force together with the convention relative to the protection of inventions, designs, trade marks and copyrights in Korea, ten days after such exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate and have thereunto affixed their seals.

Done at the City of Washington the 19th day of May in the nineteen hundred and eighth year of the Christian era corresponding to the 19th day of the 5th month of the 41st year of Meiji.

ROBERT BACON [SEAL.]

K. TAKAHIRA [SEAL.]

TREATY BETWEEN THE UNITED STATES AND JAPAN CONCERNING THE
PROTECTION OF TRADE-MARKS, ETC., IN KOREA.

Signed at Washington, May 19, 1908.

The President of the United States of America and His Majesty the Emperor of Japan being desirous to secure in Korea due protection for the inventions, designs, trade marks and copyrights of their respective citizens and subjects have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:—

ARTICLE I.

The Japanese Government shall cause to be enforced in Korea simultaneously with the operation of this convention, laws and regulations relative to inventions, designs, trade marks and copyrights similar to those which now exist in Japan.

These laws and regulations are to be applicable to American citizens in Korea equally as to Japanese and Korean subjects. In case the existing laws and regulations of Japan referred to in the preceding paragraph shall hereafter be modified, those laws and regulations enforced in Korea shall also be modified according to the principle of such new legislation.

ARTICLE II.

The Government of the United States of America engages that in case of the infringement by American citizens of inventions, designs, trade marks or copyrights entitled to protection in Korea, such citizens shall in these respects be under the exclusive jurisdiction of the Japanese courts in Korea, the extraterritorial jurisdiction of the United States being waived in these particulars.

ARTICLE III.

Citizens of possessions belonging to the United States shall have in respect to the application of the present convention the same treatment as citizens of the United States.

ARTICLE IV.

Korean subjects shall enjoy in the United States the same protection as native citizens in regard to inventions, designs, trade marks and copyrights upon the fulfillment of the formalities prescribed by the laws and regulations of the United States.

ARTICLE V.

Inventions, designs, trade marks and copyrights duly patented or registered in Japan by citizens of the United States prior to the enforcement of the laws and regulations mentioned in Article I hereof shall without further procedure be entitled under the present convention to the same protection in Korea as is or may hereafter be there accorded to the same industrial and literary properties similarly patented or registered by Japanese or Korean subjects.

Inventions, designs, trade marks and copyrights duly patented or registered in the United States by citizens or subjects of either High Contracting Party or by Korean subjects prior to the operation of the present convention shall similarly be entitled to patent or registration in Korea without the payment of any fees, provided that said inventions, designs, trade marks and copyrights are of such a character as to permit of their patent or registration under the laws and regulations above-mentioned and provided further that such patent or registration is effected within a period of one year after this convention comes into force.

ARTICLE VI.

The Japanese Government engages to extend to American citizens the same treatment in Korea in the matter of protection of their commercial names as they enjoy in the dominions and possessions of Japan under the convention for the protection of industrial property signed at Paris March 20, 1883.

"Hong" marks shall be considered to be commercial names for the purpose of this convention.

ARTICLE VII.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force ten days after such exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at the City of Washington the 19th day of May in the nineteen hundred and eighth year of the Christian era corresponding to the 19th day of the 5th month of the 41st year of Meiji.

ROBERT BACON [SEAL.]

K. TAKAHIRA [SEAL.]

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND ITALY, MONTENEGRO, RUSSIA, ARGENTINE REPUBLIC, ROUMANIA, SERBIA, BELGIUM, SALVADOR, PORTUGAL, THE UNITED MEXICAN STATES, LUXEMBURG, THE SWISS CONFEDERATION, PERSIA, JAPAN, ECUADOR, BULGARIA, DENMARK, SPAIN, FRANCE, SWEDEN, THE NETHERLANDS, GREECE, URUGUAY, GERMANY, CUBA, AUSTRIA-HUNGARY, NORWAY, EGYPT, GREAT BRITAIN, GUATEMALA, ETHIOPIA, NICARAGUA, BRAZIL, COSTA RICA, CHILE, PERU, CHINA, PARAGUAY, AND TURKEY, PROVIDING FOR THE CREATION OF AN INTERNATIONAL INSTITUTE OF AGRICULTURE.

Signed at Rome, June 7, 1905.

[Translation.]

In a series of meetings held at Rome, from May 29 to June 6, 1905, the delegates of the Powers convened at the Conference for the creation of an International Institute of Agriculture, having agreed upon the text of a Convention to be dated June 7, 1905, and this text having been submitted for approval to the Governments which took part in the said conference, the undersigned, having been furnished with full powers found in good and due form, have agreed, in the names of their respective Governments, on what follows:

ARTICLE 1.

There is hereby created a permanent international institute of agriculture, having its seat at Rome.

ARTICLE 2.

The international institute of agriculture is to be a government institution, in which each adhering power shall be represented by delegates of its choice.

The institute shall be composed of a general assembly and a permanent committee, the composition and duties of which are defined in the ensuing articles.

ARTICLE 3.

The general assembly of the institute shall be composed of the representatives of the adhering governments. Each nation, whatever be the number of its delegates, shall be entitled to a number of votes in the assembly which shall be determined according to the group to which it belongs, and to which reference will be made in article 10.

ARTICLE 4.

The general assembly shall elect for each session from among its members a president and two vice-presidents.

The sessions shall take place on dates fixed by the last general assembly and according to a programme proposed by the permanent committee and adopted by the adhering governments.

ARTICLE 5.

The general assembly shall exercise supreme control over the international institute of agriculture.

It shall approve the projects prepared by the permanent committee regarding the organization and internal workings of the institute. It shall fix the total amount of expenditures and audit and approve the accounts.

It shall submit to the approval of the adhering governments modifications of any nature involving an increase in expenditure or an enlargement of the functions of the institute. It shall set the date for holding the sessions. It shall prepare its regulations.

The presence at the general assemblies of delegates representing two-thirds of the adhering nations shall be required in order to render the deliberations valid.

ARTICLE 6.

The executive power of the institute is intrusted to the permanent committee, which, under the direction and control of the general assembly, shall carry out the decisions of the latter and prepare propositions to submit to it.

ARTICLE 7.

The permanent committee shall be composed of members designated by the respective governments. Each adhering nation shall be represented in the permanent committee by one member. However, the representation of one nation may be intrusted to a delegate of another

adhering nation, provided that the actual number of members shall not be less than fifteen.

The conditions of voting in the permanent committee shall be the same as those indicated in article 3 for the general assemblies.

ARTICLE 8.

The permanent committee shall elect from among its members for a period of three years a president and a vice-president, who may be re-elected. It shall prepare its internal regulations, vote the budget of the institute within the limits of the funds placed at its disposal by the general assembly, and appoint and remove the officials and employees of its office.

The general secretary of the permanent committee shall act as secretary of the assembly.

ARTICLE 9.

The institute, confining its operations within an international sphere, shall —

(a) Collect, study, and publish as promptly as possible statistical, technical, or economic information concerning farming, both vegetable and animal products, the commerce in agricultural products, and the prices prevailing in the various markets;

(b) Communicate to parties interested, also as promptly as possible, all the information just referred to;

(c) Indicate the wages paid for farm work;

(d) Make known the new diseases of vegetables which may appear in any part of the world, showing the territories infected, the progress of the disease, and, if possible, the remedies which are effective in combating them;

(e) Study questions concerning agricultural cooperation, insurance, and credit in all their aspects; collect and publish information which might be useful in the various countries in the organization of works connected with agricultural cooperation, insurance, and credit;

(f) Submit to the approval of the governments, if there is occasion for it, measures for the protection of the common interests of farmers and for the improvement of their condition, after having utilized all the necessary sources of information, such as the wishes expressed by international or other agricultural congresses or congresses of sciences applied to agriculture, agricultural societies, academies, learned bodies, etc.

All questions concerning the economic interests, the legislation, and the administration of a particular nation shall be excluded from the consideration of the institute.

ARTICLE 10.

The nations adhering to the institute shall be classed in five groups, according to the place which each of them thinks it ought to occupy.

The number of votes which each nation shall have and the number of units of assessment shall be established according to the following gradations:

GROUPS OF NATIONS.	Numbers of votes.	Units of assessment.
I	5	16
II	4	8
III	3	4
IV	2	2
V	1	1

In any event the contribution due per unit of assessment shall never exceed a maximum of 2,500 francs.

As a temporary provision the assessment for the first two years shall not exceed 1,500 francs per unit.

Colonies may, at the request of the nations to which they belong, be admitted to form part of the institute on the same conditions as the independent nations.

ARTICLE 11.

The present Convention shall be ratified and the ratifications exchanged as soon as possible by depositing them with the Italian Government.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have hereunto affixed their seals.

Done at Rome the 7th of June one thousand nine hundred and five, in a single original, deposited with the Ministry of Foreign Affairs of Italy, of which certified copies shall be sent through the diplomatic channel to the contracting States.

For Italy:

TITTONI.

For Montenegro:

GENERAL MITAR MARTINOVICH.

For Russia:

KROUPENSKY.

For Argentine Republic:	BALD. ^o M. FONSECA.
For Roumania:	NICOLAS FLÉVA.
For Servia:	M. MILOVANOVITCH.
For Belgium:	L. VERHAEGHE DE NAEYER.
For Salvador:	J. GUSTAVO GUERRERO.
For Portugal:	M. DE CARVALHO E VASCONCELLOS.
For United States of Mexico:	G. A. ESTEVA.
For Luxemburg:	L. VERHAEGHE DE NAEYER.
For Switzerland:	J. B. PIODA.
For Persia:	N. MALCOLM.
For Japan:	T. OHYAMA.
For Ecuador:	J. T. MERA.
For Bulgaria:	D. MINTCHOVITCH.
For Denmark:	CTE MOLTKE.
For Spain:	DUC DE ARCOS.
For France:	CAMILLE BARRÈRE.
For Sweden:	BILDT.
For The Netherlands:	JONKHEER VAN DER GOES.
For Greece:	CHRIST. MIZZOPOULOS.
For Uruguay:	JEAN CUESTAS.
For Germany:	A. MONTS.
For Cuba:	CARLOS DE PEDROSO.
For Austria-Hungary:	H. LÜTZOW.
For Norway:	CARL LÖVENSKIOLD.
For Egypt:	AZIZ IZZET.
For Great Britain:	EDWIN H. EGERTON.
For Guatemala:	THOMAS SEGARINI.
For Ethiopia:	GIUSEPPE CUBONI.
For Nicaragua:	JEAN GIORDANO DUC DE ORATINO.
For United States of America:	HENRY WHITE.
For Brazil:	BARROS MOREIRA.
For Costa Rica:	RAFAEL MONTEALEGRE.
For Chile:	VICTOR GREZ.
For Peru:	ANDRÉS A. CACERES.
For China:	HOUANG KAO.
For Paraguay:	F. S. BENUCCI.
For Turkey:	M. RÉCHID.

AGREEMENT BETWEEN THE UNITED STATES AND OTHER POWERS FOR THE
REPRESSION OF THE TRADE IN WHITE WOMEN.

Signed at Paris, May 18, 1904.

[Translation.]

His Majesty the German Emperor, King of Prussia, in the name of the German Empire; His Majesty the King of the Belgians; His Majesty the King of Denmark; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of Italy; Her Majesty the Queen of the Netherlands; His Majesty the King of Portugal and of the Algarves; His Majesty the Emperor of All the Russias; His Majesty the King of Sweden and Norway, and the Swiss Federal Council, being desirous to assure to women who have attained their majority and are subjected to deception or constraint, as well as minor women and girls, an efficacious protection against the criminal traffic known under the name of trade in white women ("*Traite des Blanches*,") have resolved to conclude an arrangement with a view to concert proper measures to attain this purpose and have appointed as their Plenipotentiaries, that is to say:

The President of the French Republic, his Excellency M. th. Delcasse, Deputy, Minister for Foreign Affairs of the French Republic;

His Majesty the German Emperor, King of Prussia, His Serene Highness Prince Radolin, his Ambassador Extraordinary;

His Majesty the King of the Belgians, M. A. Leghait, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the King of Denmark, Count F. Reventlow, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the King of Spain, his Excellency M. F. de Leon y Castillo, Marquis del Muni, his Ambassador Extraordinary and Plenipotentiary to the President of the French Republic;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, his Excellency Sir E. Monson, his Ambassador Extraordinary and Plenipotentiary to the President of the French Republic;

His Majesty the King of Italy, his Excellency Count Tornielli Brusati di Vergano, his Ambassador Extraordinary and Plenipotentiary to the President of the French Republic;

Her Majesty the Queen of the Netherlands, M. le Chevalier de Stuers, her Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the King of Portugal and of the Algarves, M. T. de Souza-Roza, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the Emperor of All the Russias, his Excellency M. de Nelidow, his Ambassador Extraordinary and Plenipotentiary to the President of the French Republic;

His Majesty the King of Sweden and Norway: for Sweden and for Norway M. Åkerman, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

And the Swiss Federal Council, M. Charles Edouard Lardy, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation to the President of the French Republic;

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions: —

ARTICLE FIRST.

Each of the Contracting Governments agrees to establish or designate an authority who will be directed to centralize all information concerning the procurement of women or girls both in a view to their debauchery in a foreign country; that authority shall have the right to correspond directly with the similar service established in each of the other Contracting States.

ART. 2.

Each of the Governments agree to exercise a supervision for the purpose to find out, particularly in the stations, harbours of embarkation and on the journey, the conductors of women or girls intended for debauchery. Instructions shall be sent for that purpose to the officials or to any other qualified persons, in order to procure, within the limits of the laws, all information of a nature to discover a criminal traffic.

The arrival of persons appearing evidently to be the authors, the accomplices or the victims of such a traffic will be notified, in each case, either to the authorities of the place of destination or to the interested diplomatic or consular agents, or to any other competent authorities.

ART. 3.

The Governments agree to receive, in each case, within the limits of the laws, the declarations of women and girls of foreign nationality who surrender themselves to prostitution, with a view to establish their identity and their civil status and to ascertain who has induced them to leave their country. The information received will be communicated to the authorities of the country of origin of the said women or girls, with a view to their eventual return.

The Governments agree, within the limits of the laws and as far as possible, to confide temporarily and with a view to their eventual return, the victims of criminal traffic, when they are without any resources, to some institutions of public or private charity or to private individuals furnishing the necessary guaranties.

The Governments agree also, within the limits of the laws to return to their country of origin, those of those women or girls who ask their return or who may be claimed by persons having authority over them. Return will be made only after reaching an understanding as to their identity and nationality, as well to the place and date of their arrival at the frontiers. Each of the Contracting Parties will facilitate the transit on his territory.

The correspondence relative to the return will be made, as far as possible, through the direct channel.

ART. 4.

In case the woman or girl to be sent back can not pay herself the expenses of her transportation and she has neither husband, nor relations, nor guardian to pay for her the expenses occasioned by her return, they shall be borne by the country on the territory of which she resides as far as the nearest frontier or port of embarkation in the direction of the country of origin, and by the country of origin for the remainder.

ART. 5.

The provisions of the above articles 3 and 4, shall not infringe upon the provisions of special conventions which may exist between the contracting Governments.

ART. 6.

The contracting Governments agree, within the limits of the laws, to exercise, as far as possible, a supervision over the bureaux or agencies

which occupy themselves with finding places for women or girls in foreign countries.

ART. 7.

The non-signatory States are admitted to adhere to the present Arrangement. For this purpose, they shall notify their intention, through the diplomatic channel, to the French Government, which shall inform all the contracting States.

ART. 8.

The present arrangement shall take effect six months after the date of the exchange of ratifications. In case one of the contracting Parties shall denounce it, that denunciation shall take effect only as regards that Party and then twelve months only from the date of the day of said denunciation.

ART. 9.

The present arrangement shall be ratified and the ratifications shall be exchanged at Paris, as soon as possible.

In faith whereof the respective Plenipotentiaries have signed the present Agreement, and thereunto affixed their seals.

Done at Paris, the 18th May, 1904, in single copy, which shall be deposited in the archives of the Ministry of Foreign Affairs of the French Republic, and of which one copy, certified correct, shall be sent to each Contracting Party.

[L. s.]	(Signed)	DELCASSÉ.
[L. s.]	(Signed)	RANDOLIN.
[L. s.]	(Signed)	A. LEGHAIT.
[L. s.]	(Signed)	F. REVENTLOW.
[L. s.]	(Signed)	F. DE LEON Y CASTILLO.
[L. s.]	(Signed)	EDMUND MONSON.
[L. s.]	(Signed)	G. TORNIELLI.
[L. s.]	(Signed)	A. DE STUERS.
[L. s.]	(Signed)	T. DE SOUZA ROZA.
[L. s.]	(Signed)	NELIDOW.

For Sweden and Norway:

[L. s.]	(Signed)	ÅKERMANN.
[L. s.]	(Signed)	LARDY.

THE OTTOMAN CONSTITUTION, PROMULGATED THE 7TH ZILBIDJIE, 1293
(11/23 DECEMBER, 1876).¹

The Ottoman Empire.

ARTICLE 1.

The Ottoman Empire comprises the actual Countries and possessions and privileged provinces.

It forms an indivisible whole from which no part can ever be detached for any motive whatever.

ART. 2.

Constantinople is the capital of the Ottoman Empire.

This city does not possess to the exclusion of other cities of the Empire any privilege or immunity peculiar to itself.

ART. 3.

The Ottoman sovereignty which is united in the person of the sovereign of the supreme Kalifat of Islam belongs to the eldest of the princes of the dynasty of Osman conformably to the rules established *ab antiquo*.

ART. 4.

His majesty the Sultan is by the title of the Kalif the protector of the Mussulman religion.

He is the sovereign and the Padishar of all the Ottomans.

ART. 5.

His majesty the Sultan is irresponsible: His person is sacred.

ART. 6.

The liberty of the members of the Imperial Ottoman dynasty, their property both real and personal and their civil list during their whole life are under the guarantee of everybody.

ART. 7.

His majesty the Sultan counts among the number of his sovereign rights the following prerogatives: He names and revokes the Ministers; he confers grades functions and the insignia of his orders; gives investiture to the chiefs of the privileged provinces in the forms determined by

¹ Translation inclosed in dispatch No. 113, dated December 26, 1876, MS. Records, Department of State.

the privileges granted to them; he coins money; his name is pronounced in the mosques during the public prayers; he concludes treaties with the powers; he declares war; he makes peace; he commands the armies by sea and land; he orders military movements; he causes to be executed the dispositions of the Sheri (sacred law) and the laws; he makes the regulations for public administration; he remits or commutes penalties imposed by the criminal tribunals; he convokes or prorogues the general assembly and he dissolves, if he deem necessary, the chamber of deputies on condition of proceeding to the reelection of the deputies.

The Public Law of the Ottomans.

ART. 8.

All the subjects of the Empire are without distinction called Ottomans no matter what religion they profess.

The quality of Ottoman is acquired or lost according to the causes specified in the law.

ART. 9.

All the Ottomans enjoy individual liberty on condition of not attacking the liberty of other people.

ART. 10.

Individual liberty is absolutely inviolable.

Nobody can under any pretence suffer any penalty whatever except in the cases determined by law and according to the forms prescribed by it.

ART. 11.

Islamism is the religion of the State.

While maintaining this principle the state protects the free exercise of all the religions recognized in the Empire and accords the religious privileges granted to the different communities on condition that no offence is committed against public order or good morals.

ART. 12.

The Press is free; within the limits traced by the law.

ART. 13.

The Ottomans have the privilege of forming commercial, industrial or agricultural associations within the limits determined by the laws and regulations.

ART. 14.

One or several persons belonging to the Ottoman nationality have the right of presenting petitions to the competent authority on the subject of infractions of the laws or regulations committed either to their personal prejudice or the prejudice of the public welfare and may in the same way address in the form of a complaint signed petitions to the Ottoman General Assembly to complain of the conduct of the State functionaries or employees.

ART. 15.

Instruction is free.

Each Ottoman can give public or private courses of instruction on condition of conforming to the laws.

ART. 16.

All schools are placed under the supervision of the State.

Proper measures shall be taken for unifying and regularizing the instruction given to all Ottomans but no interference shall be made with the religious instruction of the various communities.

ART. 17.

All Ottomans are equal before the law.

They have the same rights and the same duties towards the country, without prejudice to religion.

ART. 18.

Admission to public office has a condition — the knowledge of Turkish which is the official language of the State.

ART. 19.

All Ottomans are admitted to public office according to their aptitudes, their merit and capacity.

ART. 20.

The assessment and distribution of taxes shall be established conformably with special laws and regulations in proportion to the fortune of each tax-payer.

ART. 21.

Real and personal property regularly proved is guaranteed.

No expropriation can take place except for reasons of public utility duly proved and without previous payment conformably with the law and the value of the property to be expropriated.

ART. 22.

The domicile is inviolable.

The authorities cannot forcibly enter the domicile of any person whatever except in cases determined by the law.

ART. 23.

No one can be forced to appear before any tribunal except the competent tribunal according to the law of procedure which shall be promulgated.

ART. 24.

The confiscation of property, the *corvee* and the *djerimi* (exaction under the form of fining) are prohibited.

Contributions legally levied in time of war and measures necessitated by the state of war are of course excepted from this disposition.

ART. 25.

No sum of money can be levied as an impost or tax or under any other denomination except by virtue of the law.

ART. 26.

Torture in all its forms is completely and absolutely prohibited.

The Ministers.

ART. 27.

His majesty the Sultan invests with the charge of Grand Vizier and that of Sheik-ul-Islam the persons whom his high confidence thinks proper to be called.

The nomination of the other Ministers takes place by imperial Irade (order).

ART. 28.

The Council of Ministers is assembled under the presidency of the Grand Vizier.

The powers of the Council of Ministers comprise all important affairs of the State whether internal or external.

Those of its deliberations which have to be submitted to the sanction of His Majesty the Sultan are rendered executory by an Imperial Irade.

ART. 29.

Each chief of the Ministerial Department administers within the limit of his powers the affairs which belong to his department.

Those which are beyond this limit he refers to the Grand Vizier.

The Grand Vizier attends to the reports which are addressed to him by the chiefs of the different departments either by referring them if necessary to the Council of Ministers and then presenting them for Imperial sanction, or in the contrary case in judging himself or submitting them to the decision of His Majesty the Sultan.

A special regulation shall determine these different categories of affairs for each ministerial department.

ART. 30.

The Ministers are responsible for the facts or acts of their ministry.

ART. 31.

If one or more members of the Chamber of Deputies wish to complain against a minister on account of his responsibility and for facts which the Chamber has right of taking cognizance of, the demand containing the complaint is remitted to the president, who sends it in three days to the bureau charged by virtue of the internal regulation with examining the complaint and deciding if there be any reason for submitting it to the deliberations of the Chamber.

The decision of the bureau is taken by majority of votes, after the necessary information has been obtained and explanation furnished by the minister accused.

If the bureau be of opinion that it should submit the complaint to the Chamber the report stating this decision is read in a public session, and the Chamber, after having heard the explanation of the accused Minister who is called to assist at the session, or of his delegate, votes by an absolute majority of two-thirds on the conclusions of the report.

In case of the adoption of these conclusions an address demanding the trial of the accused Minister is transmitted to the Grand Vizier, who submits it to the sanction of His Majesty the Sultan and remits it to the High Court by virtue of an Imperial Irade.

ART. 32.

A special law shall determine the procedure to be followed for the trial of Ministers.

ART. 33.

There shall be no difference between Ministers and private persons with regard to their private suits or those which are outside of their duties.

Suits of this nature are referred to the ordinary jurisdiction.

ART. 34.

The Minister whose trial has been decreed by the Chamber on accusation of the High Court is suspended from his functions until he has been acquitted of the accusation brought against him.

ART. 35.

In case of rejection, by a vote coming from the Chamber of Deputies, a project of law on the adoption of which the Minister thinks he should insist, His Majesty the Sultan orders in the exercise of His Sovereignty either a change of Ministry or the dissolution of the Chamber on condition of the reelection of deputies within the term fixed by the law.

ART. 36.

In case of urgent necessity if the general assembly be not convened the Ministers make dispositions towards defending the State against danger or guarding the public security.

These dispositions, sanctioned by Imperial Irade, have provisionally the force of law if they be not contrary to the Constitution.

They should be submitted to the General Assembly as soon as this may be convened.

ART. 37.

Each Minister has the right of assisting at the sittings of the Senate and of the Chamber of Deputies or being represented there by a superior functionary of his department.

He has equally the right of being heard before any member of the Chamber who may have demanded the floor.

ART. 38.

When in consequence of the decision of a majority of votes a Minister is invited to the Chamber of Deputies to give explanations he is obliged to respond to the questions which may be put to him either by presenting himself personally or by delegating the duties to a superior functionary of his department.

Nevertheless he has the right of putting off his reply if he judges necessary by assuming the responsibility of the adjournment.

Public Functionaries.

ART. 39.

All the nominations of the different public offices shall take place conformably with the regulations which shall determine the conditions of merit and capacity demanded for admission to office under the State.

Every official appointed under these conditions cannot be dismissed or changed.

Unless it is proved that his conduct legally justifies his dismissal.

Unless he has given his resignation, or unless his dismissal be judged indispensable by the Government.

The officials who shall have given proof of good conduct and honesty, as well as those whose suspension shall be deemed indispensable by the Government, shall have the right either to advancement or to a retiring pension or to the salary of officers on the waiting lists according to the dispositions which shall be determined by a special regulation.

ART. 40.

The powers of the different offices shall be fixed by special regulations. Each official is responsible within the limit of his powers.

ART. 41.

Each official is bound to respect his superior but obedience is due only to orders given within the limits traced by the law.

For acts contrary to the law the fact of having obeyed a superior cannot relieve from responsibility the official who has executed them.

The General Assembly.

ART. 42.

The General Assembly is composed of two chambers, the Chamber of Lords or the Senate, and the Chamber of Deputies.

ART. 43.

The two Chambers meet on the 1st of November in each year. The opening takes place by Imperial Irade.

The closing is fixed for the first of March following and this takes place also by virtue of an Imperial Irade.

Neither of the two chambers may meet except when the other chamber is in Session

ART. 44.

His Majesty the Sultan may according to the necessities of circumstances anticipate the opening and shorten or prolong the session.

ART. 45.

The ceremony of opening takes place in the presence of His Majesty the Sultan either in person or represented by the Grand Vizier and in the presence of the Ministers and the members of the two chambers.

There shall be read an Imperial speech setting forth the internal situation of the Empire and the state of its external relations in the course of the past year and indicating the measures the adoption of which is judged necessary for the ensuing year.

ART. 46.

All the members of the general assembly shall take an oath of fidelity to His Majesty the Sultan and to the country to observe the Constitution, to perform the duty intrusted to them and to abstain from every act contrary to duty.

The administration of the oath shall take place for the new members on the opening of the session in the presence of the Grand Vizier and after the opening in the presence of their respective presidents and in the public session of the chamber to which they belong.

ART. 47.

Members of the General Assembly are free in giving their opinion and their votes.

None of them can be bound by instructions or promises, influence or menaces.

They cannot be attacked for opinions or votes given in the course of deliberations in the chamber to which they belong unless they have contravened the internal regulation of that Chamber, in which case the dispositions of the proper regulations shall be applied to them.

ART. 48.

Every member of the General Assembly who by an absolute majority of two-thirds of the chamber to which he belongs, is accused of treason, of an attempt of violating the Constitution or of bribery or who has been legally condemned to imprisonment or exile ceases thereby to be a Senator or Deputy.

The judgment and the application of the penalty belong to a competent tribunal.

ART. 49.

Every member of the general assembly gives his vote in person.
He has the right of abstaining from voting.

ART. 50.

No one can be at the same time a member of both chambers.

ART. 51.

No deliberation can be held in either chamber unless a majority of members is present.

Except in cases where a majority of two-thirds is requisite every resolution may be taken by an absolute majority of the members present.

In case of a tie the president has a casting vote.

ART. 52.

Every petition relating to private interests presented to either chamber is rejected if the enquiries which it causes prove that the petitioner has not first addressed the public officials with the petition concerned or the authority on whom these officials depend.

ART. 53.

The initiative of the proposition of a law or of the modification of an existing law belongs to the ministry.

The Senate and the Chamber of Deputies may also demand a new law or the modification of an existing law on matters comprised within their duties.

In this latter case the demand is submitted by the Grand Vizier to His Majesty the Sultan and if there be any reason for it the Council of State is charged by virtue of an Imperial Irade to prepare the draft of a law which meets the object of the proposition on information and experience furnished by the competent departments.

ART. 54.

The drafts of laws elaborated by the Council of State are submitted in the first place to the Chamber of Deputies and in the second place to the Senate.

These projects have the force of law only after having been adopted by the two Chambers and are sanctioned by an Imperial Irade.

Every draft of a law definitively rejected by one of the two Chambers cannot be submitted to a new deliberation in the course of the same session.

ART. 55.

A draft of a law is not considered as adopted unless voted successively by the Chamber of Deputies and the Senate by the majority of votes article by article and unless the whole of the project has obtained a majority of votes in each of the two chambers.

ART. 56.

With the exception of the Ministers their delegates and officials convoked by a special invitation no one can be introduced in one or the other chamber and admitted to make any communication whatever whether in his own name or as the representative of a group of individuals.

ART. 57.

The debates of the Chambers shall be in Turkish.

The projects shall be printed and distributed before the day fixed for the discussion.

ART. 58.

The votes are given — by ayes and nays; by external signs, or by secret ballot.

The vote of secret ballot is subordinated to a decision of the Chamber taken by the majority of the members present.

ART. 59.

The internal police of each Chamber is exercised by its President.

The Senate.

ART. 60.

The President and the members of the Senate are named directly by His Majesty the Sultan.

The number of the Senators cannot exceed one-third of the number of the members of the Chamber of Deputies.

ART. 61.

To be named Senator it is necessary:

For a man to have rendered himself by his acts worthy of public confidence or to have rendered signal service to the State.

To be at least 40 years of age.

ART. 62.

The Senators are named for life.

The dignity of Senators can be conferred upon personages *en disponibilité* who may have filled the office of Minister, Governor General (Vali) Commander of an army corps, Cazasker (grand judge) Ambassador or Minister plenipotentiary, Patriarch, Khakham-bashi (Grand Rabbi) to the generals of division of the armies by land and sea and generally to persons who unite the requisite conditions.

The members of the Senate called at their request to other functions lose their quality of Senator.

ART. 63.

The pay of a Senator is fixed at the monthly sum of 10,000 piastres.

The Senator who receives from the Treasury a salary or pay by any other title has a right only to the complement if the sum total of such pay is less than 10,000 piastres.

•If this amount be equal or superior to the salary of Senator he continues to receive the whole of it.

ART. 64.

The Senate shall examine the drafts of laws or of the Budget which shall be transmitted to it by the Chamber of Deputies.

If in the course of the examination of the draft of a law the Senate finds a clause contrary to the sovereign rights of His Majesty the Sultan, to the liberty, to the constitution, to the territorial integrity of the Empire, to the internal safety of the country, to the interest of the defence of the country or to good morals it shall reject it definitively by a vote stating the reasons thereof or it shall send it back accompanied by its observations to the Chamber of Deputies demanding that it be amended or modified in the sense of these observations.

The drafts of law adopted by the Senate shall receive its approbation and shall be transmitted to the Grand Vizier.

The Senate shall examine the petitions presented to it. It shall transmit to the Grand Vizier those petitions which it believes deserve it accompanying them with its observations.

The Chamber of Deputies.

ART. 65.

The number of Deputies is fixed at one deputy for 50,000 male inhabitants belonging to the Ottoman nationality.

ART. 66.

The elections shall be by ballot. The mode of election shall be determined by special law.

ART. 67.

The mandate of Deputy is incompatible with public functions with the exception of those of Ministers.

Every other public functionary elected deputy is free to accept or refuse but in case of acceptance he must resign his other office.

ART. 68.

There cannot be elected as deputies:

- (1) Those who do not belong to the Ottoman nationality.
- (2) Those who by virtue of a special regulation in force enjoy the immunities attached to a foreign service which they exercise.
- (3) Those who do not know Turkish.
- (4) Those who are not 30 years of age.
- (5) People in the service of a private man.
- (6) Bankrupts.
- (7) Those of notoriously bad character.
- (8) Individuals who have been judicially condemned so long as they are not pardoned.
- (9) Those who do not enjoy their civil rights.
- (10) Those who claim to belong to a foreign nation.

After the expiration of the first period of four years one of the conditions of eligibility of a delegate is that he shall know how to read Turkish and as far as possible write that language.

ART. 69.

The general elections of deputies take place every four years.

The mandate of each deputy lasts only four years but he is reëligible.

ART. 70.

The general elections begin at latest four months before the 1st of November which is the date fixed for the meeting of the Chamber.

ART. 71.

Every member of the Chamber of Deputies represents the whole of the Ottoman nation and not exclusively the district which has elected him.

ART. 72.

The electors are obliged to choose their delegates among the inhabitants of the province to which they belong.

ART. 73.

In case of the dissolution of the Chamber by an Imperial Irade the general elections must commence in time necessary for the Chamber to meet again at latest six months after the date of the dissolution.

ART. 74.

In case of death, judiciary condemnation, prolonged absence, or loss of quality of deputy resulting from condemnation or the acceptance of a public office a new election shall be held conformably to the prescriptions of the electoral law within such a time that the new deputy may enter upon his duties at latest in the following session.

ART. 75.

The mandate of Deputies elected to fill a vacancy shall only last till the next general election.

ART. 76.

There shall be allowed by the Treasury to each Deputy 20,000 piastres per session and his travelling expenses for going and returning.

The sum of this expense shall be established conformably to the dispositions of the regulation which governs the travelling indemnities paid to the civil officials of the State and calculated on the basis of the monthly pay of 5,000 piastres.

ART. 77.

The president and the two vice presidents of the chamber of deputies shall be chosen by His Majesty the Sultan from a list of nine candidates elected by the chamber by a majority of votes, three for the president, three for the first vice president and three for the second vice president.

The nomination of the president and the vice presidents shall take place by Imperial Irade.

ART. 78.

The sessions of the Chamber of Deputies shall be public.

The Chamber however may meet in secret session when the proposition shall be made by the Ministers, or by the President, or by 15 members, and this proposition be voted upon in secret session.

ART. 79.

No deputy can during the duration of the session be arrested or sued save in case of *flagrante delicto* except upon a decision taken by a majority of the chamber which shall authorize the suit.

ART. 80.

The Chamber of Deputies shall discuss the drafts of law which shall be submitted to it.

It shall adopt, amend or reject the dispositions concerning finances or the Constitution.

It shall examine in detail the general expenses of the State comprised in the Budget and may in conjunction with the Ministers fix the total thereof.

It shall determine equally by agreement with the Ministers, the nature, the total and the method of the assessment and realization of the receipts destined to cover the expenses.

The Power of the Judiciary.

ART. 81.

The Judges appointed conformably to the special law on this subject and furnished with their brevet of investiture (*berat*) are irremovable but they may resign.

The advancement of Judges in the hierarchal order, their change, their being placed on the retired list, or their dismissal in case of judicial condemnation shall be submitted to the dispositions of the same law.

This law shall determine the conditions and qualities requisite for exercising the functions of a judge or the other functions of a judicial nature.

ART. 82.

The audience of all the tribunals shall be public.

The publication of the judgments is authorized.

However in cases specified by the law the tribunal can hold a secret session.

ART. 83.

Every individual in the interest of his defence may make use before the tribunal of the means permitted by the law.

ART. 84.

No tribunal can refuse under any pretence whatever to judge an affair within its competence.

It can neither arrest nor adjourn the judgment after it has begun the examination or investigation unless the plaintiff withdraws his suit.

However, in criminal cases the public action continues to go on conformably to the law even in the case where the complainant withdraws.

ART. 85.

Every affair shall be judged by the tribunal to which this affair shall belong.

Suits between private persons of the State are within the competence of the ordinary tribunals.

ART. 86.

No interference can be exercised with the tribunals.

ART. 87.

Affairs concerning the *Sheri* shall be judged by the tribunals of the *Sheri*. The judgment of civil affairs belongs to the civil tribunals.

ART. 88.

The different categories of the tribunals, their competency, their powers, and the emoluments of the judges shall be fixed by the laws.

ART. 89.

Besides the ordinary tribunals there cannot be instituted under any denomination whatever extraordinary tribunals or commissions for judging certain special affairs.

However arbitration (*takkin*) and the nomination of *muwella* (deputy judge) shall be permitted within the forms permitted by the law.

ART. 90.

No judge can hold at the same time any other office paid by the state.

ART. 91.

There shall be instituted Imperial procurors charged with carrying on public suits.

Their powers and their hierarchy shall be fixed by law.

The High Court.

ART. 92.

The High Court is formed of thirty members, of which ten are Senators, ten Councillors of State, and ten members chosen among the presidents and members of the court of cassation and the court of appeals.

All the members shall be designated by lot.

The High Court is convoked when there is reason for it by an Imperial Irade and meets at the Senate House.

Its powers consist in judging:—

The Ministers.

The president and members of the court of cassation.

And all other persons accused of high treason or an attempt against the safety of the State.

ART. 93.

The High Court is composed of two Chambers: the Chamber of accusation, and the Chamber of judgment.

The Chamber of accusation is formed of nine members designated by lot among the members of the High Court, of whom three are Senators, three Councillors of State and three members of the Court of cassation or the Court of appeal.

ART. 94.

The reference to the Chamber of judgment is pronounced by the Chamber of accusation by a two-thirds majority of its members.

The members belonging to the Chamber of accusation cannot take part in the deliberations of the Chamber of judgment.

ART. 95.

The Chamber of Judgment is formed of 21 members seven of whom are Senators seven Councillors of State and seven members of the Court of cassation or the court of appeal.

It judges by a two thirds majority conformably to the laws in force the cases which are sent in to it by the Chamber of accusation.

The judgments are susceptible neither of appeal nor of cassation.

Finances.

ART. 96.

No tax for the profit of the state can be either established, assessed or levied except by virtue of law.

ART. 97.

The Budget is the law which contains the estimates of the receipts and expenses of the State.

The taxes for the profit of the State are regulated by this law, as to their assessment, their allotment or their collection.

ART. 98.

The examination and the vote by the General Assembly of the Budget takes place article by article.

The tables annexed to it comprising the totals of the receipts and of the expenses are divided into sections, chapters and articles conformably to the model settled by the regulations.

These tables are voted by chapters.

ART. 99.

The draft of the Budget is submitted to the Chamber of Deputies immediately after the opening of the Session in order to render possible its being put into execution at the beginning of the fiscal year to which it relates.

ART. 100.

No expenses beyond the budget can be covered from the funds of the State except by virtue of the law.

ART. 101.

In case of urgency caused by extraordinary circumstances the Ministers can during the absence of the General Assembly create by Imperial Irade the necessary resources and make an expense unforeseen by the Budget on condition of presenting to the General Assembly a draft of the law at the beginning of the next session.

ART. 102.

The Budget is voted for one year and has the force of law only for the year to which it relates.

However if in consequence of exceptional circumstances the Chamber of Deputies is dissolved before the vote on the Budget the Ministers can by a resolution taken by virtue of an Imperial Irade apply the Budget of the preceding year until the next session provided that the provisional application of this Budget does not exceed the period of one year.

ART. 103.

The complete and definitive statement of the Budget indicates all receipts realized and payments made out of the revenues and for the expenses of the year to which this statement relates.

Its form and its divisions must be the same as those of the Budget.

ART. 104.

This completed statement is submitted to the Chamber of Deputies at latest four years after the end of the year to which it relates.

ART. 105.

There shall be instituted a court of accounts charged with the examination of the operations of the financial officers as well as of the annual accounts drawn up by the different municipal departments.

It shall address each year to the Chamber of Deputies a special report containing the result of its labours accompanied by its observations.

At the end of each three months it shall present to His Majesty the Sultan through the Grand Vizier a report containing a statement of the financial situation.

ART. 106.

The Court of accounts shall be composed of 12 irremovable members named by Imperial Trade.

None of them can be dismissed unless a proposition with reasons annexed for his removal be approved by a decision of the majority of the Chamber of Deputies.

ART. 107.

The conditions and qualities required of the members of the Court of accounts, the details of their powers, the rules applicable in cases of resignation, replacement, advancement or retiring, as well as of the organization of the bureaus, shall be determined by a special law.

The Provincial Administration.

ART. 108.

The administration of the Provinces shall have as its base the principle of decentralization.

The details of this organization shall be fixed by a law.

ART. 109.

A special law shall regulate on wider bases the election of administrative Councils of the province (Vilayet) of the district (Sandjak) and of the canton (Kaza) as well as that of the general council which meets annually in the capital of each province.

ART. 110.

The powers of the provincial General Council shall be fixed by the same special law and shall include:

The right of debating on objects of public utility as well as the establishment of ways of communication, the organization of agricultural credit funds, the development of industry as well as of commerce, of agriculture and the propagation of public instruction.

The right of complaining to the competent authorities for obtaining the redress of acts or deeds committed in contravention of the laws and regulations whether in the assessment and collection of taxes or in any other manner.

ART. 111.

There shall be in each Kaza a council belonging to each of the different communities. This council will be charged with the control of:—

(1) The administration of the revenues of real property or of *Vakouf* funds (pious foundations) the special destination of which has been fixed by the expressed dispositions of the founders or by usage.

(2) The employment of funds or property affected by testamentary disposition, of acts of charity or of beneficence.

(3) The administration of funds of orphans conformably with the special regulation which governs this matter.

Each council shall be composed of members elected by the community it represents conformably to special regulations to be established.

These councils shall depend on the local authorities and on the General Councils of the province.

ART. 112.

Municipal affairs shall be administered in Constantinople and in the provinces by elective municipal Councils.

The regulation of the municipal councils, their powers and the method of electing their members shall be determined by a special law.

Divers Dispositions.

ART. 113.

In case of proof of facts or of signs of a nature to apprehend trouble on any of the territory of the Empire the Imperial Government has the right of proclaiming there a state of siege.

The effects of the state of siege consist in the temporary suspension of the civil laws.

The mode of administering localities submitted to a state of siege shall be regulated by a special law.

His Majesty the Sultan has the exclusive power of expelling from the territory of the Empire those who in consequence of information worthy of confidence collected by the administration of police are recognized as being injurious to the safety of the State.

ART. 114.

Primary instruction shall be obligatory for all Mussulmans.

The details of the application shall be determined by a special law.

ART. 115.

No disposition of the Constitution can under any pretext whatever be suspended or ignored.

ART. 116.

In case of necessity duly proved the Constitution may be modified in some of its dispositions. This modification is subordinated to the following conditions.

Every proposition of modification presented, whether by the Ministry or by one or the other chamber must be submitted in the first place to the deliberations of the Chamber of deputies.

If the proposition be approved by a two thirds majority of the members of this Chamber, it shall be transmitted to the Senate.

In case the Senate shall equally adopt the proposed modification by two thirds of the Senators it shall be submitted to the sanction of His Majesty the Sultan.

If it be sanctioned by Imperial Irade it shall have the force of law.

Every disposition of the Constitution which is the object of a proposed modification remains in force up to the moment that the proposition, after having been submitted to the approval of the deliberations of the Chambers, has been sanctioned by Imperial Irade.

ART. 117.

The interpretation of the laws belongs:—

To the Court of cassation for civil and penal laws;

To the Council of State for administrative laws;

And to the Senate for the dispositions of the Constitution.

ART. 118.

All the dispositions of the laws, regulations, usages, and customs actually in force shall continue to be applied until they shall have been modified or abrogated by laws or regulations.

ART. 119.

The provisional instruction of the 10th of *Chival* 1293 (16/28 October 1876) concerning the general assembly shall cease to have its effect after the closing of the first session.

DOCUMENTS CONCERNING THE BALKAN SITUATION.

PRELIMINARY TREATY OF PEACE BETWEEN RUSSIA AND TURKEY.¹

Signed at San Stefano, February 9/ March 3, 1878.

His Majesty the Emperor of Russia and His Majesty the Emperor of the Ottomans, inspired with the wish of restoring and securing the blessings of peace to their countries and people, as well as of preventing any fresh complication which might imperil the same, have named as their Plenipotentiaries, with a view to draw up, conclude, and sign the Preliminaries of Peace:

His Majesty the Emperor of Russia on the one side, the Count Nicolas Ignatiew, Aide-de-camp General of His Imperial Majesty, Lieutenant-General, Member of the Council of the Empire, decorated with the Order of St. Alexander Newsky in diamonds, and with various other Russian and foreign Orders, and Sieur Alexander Nelidow, Chamberlain of the Imperial Court, Conseiller d'Etat actuel, decorated with the Order of St. Anne of the first class, with swords, and with various other Russian and foreign Orders;

And His Majesty the Emperor of the Ottomans on the other side,

¹ Clauses in brackets were superseded by the treaty of Berlin.

Saïvet Pasha, Minister for Foreign Affairs, decorated with the Order of the Osmanié in brilliants, with that of the Medjidié of the first class, and with various foreign Orders, and Sadoullah Bey, His Majesty's Ambassador at the Imperial Court of Germany, decorated with the Order of the Medjidié of the first class, with that of the Osmanié of the second class, and with various other foreign Orders;

Who, after having exchanged their full powers, which were found to be in good and proper form, have agreed to the following Articles:

ARTICLE I.

[In order to put an end to the perpetual conflicts between Turkey and Montenegro, the frontier which separates the two countries will be rectified conformably to the map hereto annexed, subject to the reserve hereinafter mentioned, in the following manner:

[From the mountain of Dobrostitza the frontier will follow the line indicated by the Conference of Constantinople as far as Korito by Bilek. Thence the new frontier will run to Gatzko (Metochia-Gatzko will belong to Montenegro), and towards the confluence of the Piva and the Tara, ascending towards the north by the Drina as far as its confluence with the Lim. The eastern frontier of the Principality will follow this last river as far as Prijepolje, and will proceed by Roshaj to Sukha-Planina (leaving Bihor and Roshaj to Montenegro). Taking in Bugovo, Plava, and Gusinje, the frontier line will follow the chain of mountains by Shlieb, Paklen, and along the northern frontier of Albania by the crests of the Mountains Koprivnik, Babavik, Bor-vik, to the highest peak of Prokleti. From that point the frontier will proceed by the summit of Biskaschik, and will run in a straight line to the Lake of Tjiceni-hoti. Dividing Tjiceni-hoti and Tjiceni-kastrati, it will cross the Lake of Scutari to the Boyana, the thalweg of which it will follow as far as the sea. Nischich, Gatzko, Spouje, Podgoritza, Jabliak, and Antivari will remain to Montenegro.

[A European Commission, on which the Sublime Porte and the Government of Montenegro shall be represented, will be charged with fixing the definitive limits of the Principality, making on the spot such modifications in the general tracing as it may think necessary and equitable, from the point of view of the respective interests and tranquillity of the two countries, to which it will accord in this respect the equivalents deemed necessary.

[The navigation of the Boyana having always given rise to disputes

between the Sublime Porte and Montenegro, will be the subject of a special regulation, which will be prepared by the same European Commission.]

ARTICLE II.

[The Sublime Porte recognizes definitively the independence of the Principality of Montenegro.

[An understanding between the Imperial Government of Russia, the Ottoman Government, and the Principality of Montenegro will determine subsequently the character and form of the relations between the Sublime Porte and the Principality as regards particularly the establishment of Montenegrin Agents at Constantinople, and in certain localities of the Ottoman Empire, where the necessity for such Agents shall be recognized, the extradition of fugitive criminals on the one territory or the other, and the subjection of Montenegrins travelling or sojourning in the Ottoman Empire to the Ottoman laws and authorities, according to the principles of international law and the established usages concerning the Montenegrins.

[A Convention will be concluded between the Sublime Porte and Montenegro to regulate the questions connected with the relations between the inhabitants of the confines of the two countries and with the military works on the same confines. The points upon which an understanding cannot be established will be settled by the arbitration of Russia and Austria-Hungary.

[Henceforward, if there is any discussion or conflict, except as regards new territorial demands, Turkey and Montenegro will leave the settlement of their differences to Russia and Austria-Hungary, who will arbitrate in common.

[The troops of Montenegro will be bound to evacuate the territory not comprised within the limits indicated above within ten days from the signature of the Preliminaries of Peace.]

ARTICLE III.

[Serbia is recognized as independent. Its frontier, marked on the annexed map,¹ will follow the thalweg of the Drina, leaving Little Zvornik and Zakar to the Principality, and following the old limit as far as the sources of the stream Dezevo, near Stoilac. Thence the new line will follow the course of that stream as far as the River Raska, and then the course of the latter as far as Novi-Bazar.

¹ The map which appeared with the original treaty is omitted.

[From Novi-Bazar, ascending the stream which passes near the villages of Mekinje and Irgoviste as far as its source, the frontier line will run by Bosur Planina, in the valley of the Ibar, and will then descend the stream which falls into this river near the village of Ribanic.

[The line will then follow the course of the Rivers Ibar, Sitniza, and Lab, and of the brook Batintze to its source (upon the Grapachniza Planina). Thence the frontier will follow the heights which separate the waters of the Kriva and the Veternitza, and will meet the latter river by the shortest route at the mouth of the stream Miovatzka, which it will ascend, crossing the Miovatzka Planina and redescending towards the Morava, near the village of Kalimanci.

[From this point the frontier will descend the Morava as far as the River Vlossina, near the village of Staikovtzi. Reascending the latter river, as well as the Linberazda, and the brook Koukavitze, the line will pass by the Sukha Planina, will run along the stream Vrylo as far as the Nisawa, and will descend the said river as far as the village of Kronpatz, whence the line will rejoin by the shortest route the old Servian frontier to the south-east of Karaoul Earé, and will not leave it until it reaches the Danube.

[Ada-Kale will be evacuated and razed.

[A Turco-Servian Commission, assisted by a Russian Commissioner, will, within three months, arrange upon the spot the definite frontier line, and will definitely settle the questions relating to the islands of the Drina. A Bulgarian delegate will be admitted to participate in the work of the Commission when it shall be engaged on the frontier between Servia and Bulgaria.]

ARTICLE IV.

[The Mussulmans holding lands in the territories annexed to Servia, and who wish to reside out of the Principality, can preserve their real property by having them farmed out or administered by others. A Turco-Servian Commission, assisted by a Russian Commissioner, will be charged to decide absolutely, in the course of two years, all questions relating to the verification of real estate in which Mussulman interests are concerned.

[This Commission will also be called upon to settle within three years the method of alienation of State property and of religious endowments (vacouf), as well as the questions relative to the interests of private persons which may be involved. Until a direct Treaty is concluded between Turkey and Servia determining the character of the relations between the Sublime Porte and the Principality, Servian subjects travelling or

sojourning in the Ottoman Empire shall be treated according to the general principles of international law.

[The Servian troops shall be bound to evacuate the territory not comprised within the above-mentioned limits within fifteen days from the signature of the Preliminaries of Peace.]

ARTICLE V.

[The Sublime Porte recognizes the independence of Roumania, which will establish its right to an indemnity, to be discussed between the two countries.

[Until the conclusion of a direct Treaty between Turkey and Roumania, Roumanian subjects will enjoy in Turkey all the rights guaranteed to the subjects of other European Powers.]

ARTICLE VI.

[Bulgaria is constituted an autonomous tributary Principality, with a Christian Government and a national militia.

[The definitive frontiers of the Bulgarian Principality will be traced by a special Russo-Turkish Commission before the evacuation of Roumelia by the Imperial Russian army.

[This Commission will, in working out the modifications to be made on the spot in the general tracing, take into account the principle of the nationality of the majority of the inhabitants of the border districts, conformably to the Bases of Peace, and also the topographical necessities and practical interests of the intercommunication of the local population.

[The extent of the Bulgarian Principality is laid down in general terms on the accompanying map, which will serve as a basis for the definitive fixing of the limits. Leaving the new frontier of the Servian Principality, the line will follow the western limit of the Caza of Wrania as far as the chain of the Kara-dagh. Turning towards the west, the line will follow the western limits of the Cazas of Koumanovo, Kotchani, Kalkandelen, to Mount Korab; thence by the River Welestchitza as far as its junction with the black Drina. Turning towards the south by the Drina and afterwards by the western limit of the Caza of Ochride towards Mount Linas, the frontier will follow the western limits of the Cazas of Gortcha and Starovo as far as Mount Grammos. Then by the Lake of Kastoria, the frontier line will rejoin the River Moglenitza, and after having followed its course, and passed to the south of Yanitza (Wardar Yenidje), will go by the mouth of the Warder and by the Galliko towards

the villages of Parga and of Sarai-keui; thence through the middle of Lake Bechik-Guel to the mouth of the Rivers Strouma and Karassou, and by the sea-coast as far as Buru-Guel; thence striking north-west towards Mount Tchaltépe by the chain of Rhodope as far as Mount Krouschowo, by the Black Balkans (Kara-Balkans), by the mountains Eschek-koulatchi, Tchepelion, Karakolas, and Tschiklar, as far as the River Arda.

[Thence the line will be traced in the direction of the town of Tchirmen, and leaving the town of Adrianople to the south, by the villages of Sugutlion, Kara-Hamza, Arnaout-keui, Akardji, and Enidje as far as the River Tekederessi. Following the Rivers Tekederessi and Tchordouderessi as far as Loule-Bourgaz, and thence, by the River Soudjak-dere as far as the village of Serguen, the frontier line will go by the heights straight towards Hakim-tabiassi, where it will strike the Black Sea. It will leave the sea-coast near Mangalia, following the southern boundaries of the Sandjak of Toultscha, and will come out on the Danube above Rassova.]

ARTICLE VII.

[The Prince of Bulgaria shall be freely elected by the population and confirmed by the Sublime Porte, with the assent of the Powers. No member of the reigning dynasties of the great European Powers shall be capable of being elected Prince of Bulgaria.

[In the event of the dignity of Prince of Bulgaria being vacant, the election of the new Prince shall be made subject to the same conditions and forms.

[Before the election of the Prince, an Assembly of Bulgarian Notables, to be convoked at Philippopolis (Plowdiw) or Tyrnowo, shall draw up, under the superintendence of an Imperial Russian Commissioner, and in the presence of an Ottoman Commissioner, the organization of the future administration, in conformity with the precedents established in 1830 after the Peace of Adrianople, in the Danubian Principalities.

[In the localities where Bulgarians are mixed with Turks, Greeks, Wallachians (Koutzo-Vlachs), or others, proper account is to be taken of the rights and interests of these populations in the elections and in the preparation of the Organic Laws.

[The introduction of the new system into Bulgaria, and the superintendence of its working, will be intrusted for two years to an Imperial Russian Commissioner. At the expiration of the first year after the introduction of the new system, and if an understanding on this subject

has been established between Russia, the Sublime Porte, and the Cabinets of Europe, they can, if it is deemed necessary, associate Special Delegates with the Imperial Russian Commissioner.]

ARTICLE VIII.

[The Ottoman army will no longer remain in Bulgaria, and all the ancient fortresses will be razed at the expense of the local Government. The Sublime Porte will have the right to dispose, as it sees fit, of the war material and of the other property belonging to the Ottoman Government which may have been left in the Danubian fortresses already evacuated in accordance with the terms of the Armistice of the ^{19th}/_{31st} January, as well as of that in the strongholds of Schoumla and Varna.

[Until the complete formation of a native militia sufficient to preserve order, security, and tranquillity, and the strength of which will be fixed later on by an understanding between the Ottoman Government and the Imperial Russian Cabinet, Russian troops will occupy the country, and will give armed assistance to the Commissioner in case of need. This occupation will also be limited to a term approximating to two years.

[The strength of the Russian army of occupation, to be composed of six divisions of infantry and two of cavalry, which will remain in Bulgaria after the evacuation of Turkey by the Imperial army, shall not exceed 50,000 men. It will be maintained at the expense of the country occupied. The Russian troops of occupation in Bulgaria will maintain their communications with Russia, not only through Roumania, but also by the ports of the Black Sea, Varna and Bourgas, where they may organize, for the term of the occupation, the necessary depots.]

ARTICLE IX.

[The amount of the annual tribute which Bulgaria is to pay the Suzerain Court, by transmitting it to a bank to be hereafter named by the Sublime Porte, will be determined by an agreement between Russia, the Ottoman Government, and the other Cabinets, at the end of the first year during which the new organization shall be in operation. This tribute will be calculated on the average revenue of all the territory which is to form part of the Principality.

[Bulgaria will take upon itself the obligations of the Imperial Ottoman Government towards the Rustchuk and Varna Railway Company, after an agreement has been come to between the Sublime Porte, the Government of the Principality, and the Directors of this Company.

The regulations as to the other railways (voies ferrées) which cross the Principality are also reserved for an agreement between the Sublime Porte, the Government established in Bulgaria, and the Directors of the Companies concerned.]

ARTICLE X.

[The Sublime Porte shall have the right to make use of Bulgaria for the transport by fixed routes of its troops, munitions, and provisions to the provinces beyond the Principality, and vice versa. In order to avoid difficulties and misunderstandings in the application of this right, while guaranteeing the military necessities of the Sublime Porte, a special regulation will lay down the conditions of it within three months after the ratification of the present Act by an understanding between the Sublime Porte and the Bulgarian Government.

[It is fully understood that this right is limited to the regular Ottoman troops, and that the irregulars, the Bashi-Bazouks, and the Circasians will be absolutely excluded from it.

[The Sublime Porte also reserves to itself the right of sending its postal service through the Principality, and of maintaining telegraphic communication. These two points shall also be determined in the manner and within the period of time indicated above.]

ARTICLE XI.

[The Mussulman proprietors or others who fix their personal residence outside the Principality may retain their estates by having them farmed or administered by others. Turco-Bulgarian Commissions shall sit in the principal centres of population, under the superintendence of Russian Commissioners, to decide absolutely in the course of two years all questions relative to the verification of real property in which either Mussulmans or others may be interested.

[Similar Commissions will be charged with the duty of regulating within two years all questions relative to the mode of alienation, working, or use for the benefit of the Sublime Porte of the property of the State, and of the religious endowments (Vacouf).

[At the expiration of the two years mentioned above all properties which shall not have been claimed shall be sold by public auction, and the proceeds thereof shall be devoted to the support of the widows and orphans, Mussulman as well as Christian, victims of the recent events.]

ARTICLE XII.

[All the Danubian fortresses shall be razed. There shall be no strongholds in future on the banks of this river, nor any men-of-war in the waters of the Principalities of Roumania, Servia, and Bulgaria, except the usual "stationnaires" and the small vessels intended for river-police and custom-house purposes.

[The rights, obligations, and prerogatives of the International Commission of the Lower Danube are maintained intact.]

ARTICLE XIII.

The Sublime Porte undertakes to render the passage of Soulina again navigable, and to indemnify the private individuals who have suffered loss by the war and the interruption of the navigation of the Danube, applying for this double charge a sum of five hundred thousand francs from the amount due to the Sublime Porte from the Danubian Commission.

ARTICLE XIV.

[The European proposals communicated to the Ottoman Plenipotentiaries at the first sitting of the Constantinople Conference shall immediately be introduced into Bosnia and Herzegovina, with any modifications which may be agreed upon in common between the Sublime Porte, the Government of Russia, and that of Austria-Hungary.

[The payment of arrears of taxes shall not be required, and the current revenues of these provinces until the 1st March, 1880, shall be exclusively applied to indemnify the families of refugees and inhabitants, victims of recent events, without distinction of race or creed, as well as to the local needs of the country. The sum to be received annually after this period by the Central Government shall be subsequently fixed by a special understanding between Turkey, Russia, and Austria-Hungary.]

ARTICLE XV.

[The Sublime Porte engages to apply scrupulously in the Island of Crete the Organic Law of 1868, taking into account the previously expressed wishes of the native population.

[An analogous law adapted to local requirements shall likewise be introduced into Epirus, Thessaly, and the other parts of Turkey in Europe, for which a special constitution is not provided by the present Act.

[Special Commissions, in which the native population will be largely represented, shall in each province be entrusted with the task of elaborat-

ing the details of the new organization, and the result of their labours shall be submitted to the Sublime Porte, who will consult the Imperial Government of Russia before carrying it into effect.]

ARTICLE XVI.

[As the evacuation by the Russian troops of the territory which they occupy in Armenia, and which is to be restored to Turkey, might give rise to conflicts and complications detrimental to the maintenance of good relations between the two countries, the Sublime Porte engages to carry into effect, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by Armenians, and to guarantee their security from Kurds and Circassians.]

ARTICLE XVII.

A full and complete amnesty is granted by the Sublime Porte to all Ottoman subjects compromised by recent events, and all persons imprisoned on this account or sent into exile shall be immediately set at liberty.

ARTICLE XVIII.

[The Sublime Porte will take into serious consideration the opinion expressed by the Commissioners of the Mediating Powers as regards the possession of the town of Khotour, and engages to have the works of the definitive delimitation of the Turco-Persian Boundary carried into effect.]

ARTICLE XIX.

The war indemnities and the losses imposed on Russia which His Majesty the Emperor of Russia claims, and which the Sublime Porte has bound itself to reimburse to him, consist of —

(a) 900,000,000 roubles for war expenses (maintenance of the army, replacing of war material, and war contracts).

(b) 400,000,000 roubles on account of damage done to the south coast of Russia, to her export commerce, to her industries, and to her railways.

(c) 100,000,000 roubles for injuries inflicted on the Caucasus by the invasion; and,

(d) 10,000,000 roubles for costs and damages of Russian subjects and establishments in Turkey.

Total 1,410,000,000 roubles.

Taking into consideration the financial embarrassments of Turkey, and in accordance with the wishes of His Majesty the Sultan, the Em-

peror of Russia consents to substitute for the payment of the greater part of the moneys enumerated in the above paragraph, the following territorial cessions:

[(a) The Sandjak of Toultscha, that is to say, the districts (Cazas) of Kilia, Soulina, Mahmoudié, Isaktcha, Toultscha, Matchine, Babadagh, Hirsowo, Kustendje, and Medjidie, as well as the Delta Islands and the Isle of Serpents.

[Not wishing, however, to annex this territory and the Delta Islands, Russia reserves the right of exchanging them for the part of Bessarabia detached from her by the Treaty of 1856, and which is bounded on the south by the thalweg of the Kilia branch and the mouth of the Stary-Stamboul.

[The question of the apportionment of waters and fisheries shall be determined by a Russo-Roumanian Commission within a year after the ratification of the Treaty of Peace.

[(b) Ardahan, Kars, Batoum, Bayazet, and the territory as far as the Saganlough.

[In its general outline, the frontier line, leaving the Black Sea coast, will follow the crest of the mountains which separate the affluents of the River Hopa from those of the River Tcharokh, and the chain of mountains to the south of the town of Artwin up to the River Tcharokh, near the villages of Alat and Bechaget; then the frontier will pass by the peaks of Mounts Dervenikzhek, Hortchezor, and Bedjiguin-Dagh, by the crest which separates the affluents of the Rivers Tortoum-tchai and the Tcharokh by the heights near Zaily-Vihine, coming down at the village Vihine-Kilissa to the River Tortoum-tchai; thence it will follow the Sivridagh Chain to the pass (col) of the same name, passing south of the village of Noriman; then it will turn to the south-east and go to Zivine, whence the frontier, passing west of the road which leads from Zivine to the villages of Ardost and Horassan, will turn south by the Saganlough chain to the village of Gilitchman; then by the crest of the Charian-Dagh it will arrive, ten versts south of Hamour, at the Mourad-tchai defile; then the line will follow the crest of the Alla-Dagh and the summits of the Hori and Tandourek, and, passing south of the Bayazet valley, will proceed to rejoin the old Turco-Persian frontier to the south of the lake of Kazli-gueul.]

The definitive limits of the territory annexed to Russia, [and indicated on the map hereto appended,] will be fixed by a Commission composed of Russian and Ottoman delegates.

This Commission in its labours will take into account the topography of localities, as well as considerations of good administration and other conditions calculated to insure the tranquillity of the country.

(c) The territories [mentioned in paragraphs (a) and (b)] are ceded to Russia as an equivalent for the sum of one milliard and one hundred million roubles. As for the rest of the indemnity, apart from the 10,000,000 of roubles intended to indemnify Russian interests and establishments in Turkey — namely, 300,000,000 of roubles — the mode of payment and guarantee of that sum shall be settled by an understanding between the Imperial Government of Russia and that of His Majesty the Sultan.

(d) The 10,000,000 roubles claimed as indemnity for the Russian subjects and establishments in Turkey shall be paid as soon as the claims of those interested are examined by the Russian Embassy at Constantinople and handed to the Sublime Porte.

ARTICLE XX.

The Sublime Porte will take effective steps to put an amicable end to the lawsuits of Russian subjects pending for several years, to indemnify the latter if need be, and to carry into effect without delay all judgments passed.

ARTICLE XXI.

The inhabitants of the districts ceded to Russia who wish to take up their residence out of these territories will be free to retire on selling all their real property. For this purpose an interval of three years is granted them, counting from the date of ratification of the present Act.

On the expiration of that time those of the inhabitants who shall not have sold their real property and left the country shall remain Russian subjects.

Real property belonging to the State, or to religious establishments situated out of the localities aforesaid, shall be sold within the same interval of three years as shall be arranged by a special Russo-Turkish Commission. The same Commission shall be intrusted with determining how the Ottoman Government is to remove its war material, munitions, supplies, and other State property actually in the forts, towns, and localities ceded to Russia, and not at present occupied by Russian troops.

ARTICLE XXII.

[Russian ecclesiastics, pilgrims, and monks travelling or sojourning in Turkey in Europe or in Asia shall enjoy the same rights, advantages, and privileges as the foreign ecclesiastics of any other nationality.]

[The right of official protection by the Imperial Embassy and Russian Consulates in Turkey is recognized, both as regards the persons above-mentioned, and their possessions, religious houses, charitable institutions, etc., in the Holy Places and elsewhere.

[The monks of Mount Athos, of Russian origin, shall be maintained in all their possessions and former privileges, and shall continue to enjoy in the three convents belonging to them and in the adjoining buildings the same rights and privileges as are assured to the other religious establishments and convents of Mount Athos.]

ARTICLE XXIII.

All the Treaties, Conventions, and agreements previously concluded between the two High Contracting Parties relative to commerce, jurisdiction, and the position of Russian subjects in Turkey, and which had been abrogated by the state of war, shall come into force again, with the exception of the clauses affected by the present Act. The two Governments will be placed again in the same relation to one another, with respect to all their engagements and commercial and other relations, as they were in before the declaration of war.

ARTICLE XXIV.

The Bosphorus and the Dardanelles shall remain open in time of war as in time of peace to the merchant-vessels of neutral States arriving from or bound to Russian ports. The Sublime Porte consequently engages never henceforth to establish at the ports of the Black Sea and the Sea of Azow, a fictitious blockade (*blocus fictif*), at variance with the spirit of the Declaration signed at Paris on the 4/16th of April, 1856.

ARTICLE XXV.

[The complete evacuation of Turkey in Europe, with the exception of Bulgaria, by the Russian army will take place within three months after the conclusion of the definitive peace between His Majesty the Emperor of Russia and His Majesty the Sultan.

[In order to save time, and to avoid the cost of the prolonged maintenance of the Russian troops in Turkey and Roumania, part of the Imperial army may proceed to the ports of the Black Sea and the Sea of Marmora, to be there shipped in vessels belonging to the Russian Government or chartered for the occasion.]

The evacuation of Turkey in Asia will be effected within the space of

six months, dating from the conclusion of the definitive peace, and the Russian troops will be entitled to take ship at Trebizond in order to return by the Caucasus or the Crimea.

The operations of the evacuation will begin immediately after the exchange of ratifications.

ARTICLE XXVI.

As long as the Imperial Russian troops remain in the localities which, in conformity with the present Act, will be restored to the Sublime Porte, the administration and order of affairs will continue in the same state as has existed since the occupation. The Sublime Porte will not participate therein during all that time, nor until the entire departure of all the troops.

The Ottoman forces shall not enter the places to be restored to the Sublime Porte, and the Sublime Porte cannot begin to exercise its authority there until notice of each fortress and province having been evacuated by the Russian troops shall have been given by the Commander of these troops to the officer appointed for this purpose by the Sublime Porte.

ARTICLE XXVII.

The Sublime Porte undertakes not to punish in any manner, or allow to be punished, those Ottoman subjects who may have been compromised by their relations with the Russian army during the war. In the event of any persons wishing to withdraw with their families when the Russian troops leave, the Ottoman authorities shall not oppose their departure.

ARTICLE XXVIII.

Immediate upon the ratification of the Preliminaries of Peace, the prisoners of war shall be reciprocally restored under the care of special Commissioners appointed on both sides, who for this purpose shall go to Odessa and Sebastopol. The Ottoman Government will pay all the expenses of the maintenance of the prisoners that are returned to them, in eighteen equal installments in the space of six years, in accordance with the accounts that will be drawn up by the above-mentioned Commissioners.

The exchange of prisoners between the Ottoman Government and the Government of Roumania, Servia, and Montenegro will be made on the same bases, deducting, however, in the account, the number of prisoners restored by the Ottoman Government from the number of prisoners that will have to be restored to that Government.

ARTICLE XXIX.

The present Act shall be ratified by their Imperial Majesties the Emperor of Russia and the Emperor of the Ottomans, and the ratifications shall be exchanged in fifteen days, or sooner if possible, at St. Petersburg, where likewise an agreement shall come to as to the place and the time at which the stipulations of the present Act shall be invested with all the solemn forms usually observed in Treaties of Peace. It is, however, well understood that the High Contracting Parties consider themselves as formally bound by the present Act from the moment of its ratification.

In witness whereof the respective Plenipotentiaries have appended their signatures and seals to the present Act.

Done at San Stefano, the ^{nineteenth February}_{third March}, one thousand eight hundred and seventy-eight.

(Signed) Cte. N. IGNATIEW.
NELIDOW.

(Signed) SAFVET.
SADOULLAH.

[Final paragraph of Article XI of the Act of the Preliminaries of Peace signed this day, ^{February 19}_{March 3}, 1878, which was omitted, and which should form an integral part of the said Article:

[The inhabitants of the Principality of Bulgaria when travelling or sojourning in the other parts of the Ottoman Empire shall be subject to the Ottoman laws and authorities.

(Signed) Cte. N. IGNATIEW.
NELIDOW.

(Signed) SAFVET.
SADOULLAH.

SAN STEFANO, ^{February 19}_{March 3}, 1878.]

TREATY BETWEEN GREAT BRITAIN, GERMANY, AUSTRIA, FRANCE, ITALY,
RUSSIA, AND TURKEY FOR THE SETTLEMENT OF AFFAIRS IN THE EAST.

Signed at Berlin, July 13, 1878.

In the name of Almighty God.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, His Majesty the Emperor of Germany, King of Prussia, His Majesty the Emperor of Austria, King of Bohemia, &c., and King Apostolic of Hungary, the President of the French Republic,

His Majesty the King of Italy, His Majesty the Emperor of all the Russias, and His Majesty the Emperor of the Ottomans, being desirous to regulate, with a view to European order, conformably to the stipulations of the Treaty of Paris of 30th March, 1856, the questions raised in the East by the events of late years and by the war terminated by the preliminary Treaty of San Stefano, have been unanimously of opinion that the meeting of a Congress would offer the best means of facilitating an understanding.

Their said Majesties and the President of the French Republic have, in consequence, appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable Benjamin Disraeli, Earl of Beaconsfield, Viscount Hughenden, a Peer of Parliament, Member of Her Majesty's Most Honourable Privy Council; First Lord of Her Majesty's Treasury, and Prime Minister of England; the Most Honourable Robert Arthur Talbot Gascoyne Cecil, Marquis of Salisbury, Earl of Salisbury, Viscount Cranborne, Baron Cecil, a Peer of Parliament, Member of Her Majesty's Most Honourable Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Lord Odo William Leopold Russell, Member of Her Majesty's Privy Council, Her Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the Emperor of Germany, King of Prussia;

His Majesty the Emperor of Germany, King of Prussia, Otho, Prince Bismarck, His President of the Council of Ministers of Prussia, Chancellor of the Empire; Bernard Ernest de Bulow, His Minister of State and Secretary of State for Foreign Affairs; and Chlodwig Charles Victor, Prince of Hoherlohe-Schillingsfurst, Prince of Ratibor and Corvey, His Ambassador Extraordinary and Plenipotentiary to the French Republic, Great Chamberlain of the Crown of Bavaria;

His Majesty the Emperor of Austria, King of Bohemia, &c., and King Apostolic of Hungary, Jules, Count Andrassy of Csik Szent-Kiraly and Krasna-Horka, Grandee of Spain of the First Class, Privy Councillor. His Minister of the Imperial Household and for Foreign Affairs, Lieutenant Field-Marshal in his armies; Louis Count Karolyi of Nagy-Karolyi, Chamberlain and Privy Councillor, His Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the Emperor of Germany, King of Prussia; and Henri, Baron de Haymerle, Privy Councillor, His Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the King of Italy;

The President of the French Republic, William Henri Waddington, Senator, Member of the Institute, Minister Secretary of State for Foreign Affairs; Charles Raymond de la Croix de Chevre, Count de Saint-Vallier, Senator, Ambassador Extraordinary and Plenipotentiary from France at the Court of His Majesty the Emperor of Germany, King of Prussia; and Felix Hippolyte Desprez, Councillor of State; Minister Plenipotentiary of the First Class, charged with the direction of Political Affairs at the Department of Foreign Affairs;

His Majesty the King of Italy, Louis, Count Corti, Senator, His Minister for Foreign Affairs; and Edward, Count de Launay, His Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the Emperor of Germany, King of Prussia;

His Majesty the Emperor of all the Russias, Alexander, Prince Gortchakow, His Chancellor of the Empire; Peter, Count de Schouvaloff, General of Cavalry, His Aide-de-camp General, Member of the Council of the Empire, and His Ambassador Extraordinary and Plenipotentiary at the Court of Her Britannic Majesty; and Paul d'Oubril, Privy Councillor, His Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the Emperor of Germany, King of Prussia;

And His Majesty the Emperor of the Ottomans, Alexander Carathodory Pasha, His Minister of Public Works; Mehemed Ali Pasha, Mushir of His Armies; and Sadoullah Bey, His Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the Emperor of Germany, King of Prussia;

Who, in accordance with the proposal of the Court of Austria-Hungary, and on the invitation of the Court of Germany, have met at Berlin furnished with full powers, which have been found in good and due form.

An understanding having been happily established between them, they have agreed to the following stipulations:

ARTICLE I.

Bulgaria is constituted an Autonomous and tributary Principality under the suzerainty of His Imperial Majesty the Sultan; it will have a Christian Government and a national militia.

ARTICLE II.

The Principality of Bulgaria will include the following territories:

The frontier follows on the north the right bank of the Danube from the former frontier of Servia up to a point to be determined by a Euro-

pean Commission to the east of Silistria, and thence runs to the Black Sea to the south of Mangalia, which is included in the Roumanian territory. The Black Sea forms the eastern boundary of Bulgaria. On the south the frontier follows upwards from its mouth the mid-channel of the brook near which are situated the villages of Hodzakioj, Selam-Kioj, Aivadsik, Kulibe, Sudzuluk; crosses obliquely the valley of the Deli-Kamcik, passes south of Belibe and Kemhalik and north of Hadzimahale after having crossed the Deli-Kamcik at $2\frac{1}{2}$ kilom. above Cengei; reaches the crest at a point situated between Tekenlik and Aidos-Bredza, and follows it by Karnabad Balkan, Prisevica Balkan, Kazan Balkan to the north of Kotel as far as Demir Kapu. It proceeds by the principal chain of the Great Balkan, the whole length of which it follows up to the summit of Kosica.

There it leaves the crest of the Balkan, descends southwards between the villages of Pirtop and Duzanci, the one being left to Bulgaria and the other to Eastern Roumelia, as far as the brook of Tuzlu Dere, follows that stream to its junction with the Topolnica, then the latter river until it meets the Smovskio Dere near the village of Petricevo, leaving to Eastern Roumelia a zone with a radius of 2 kilom. above that junction, ascends between the brooks of Smovskio Dere and the Kamenica, following the line of the watershed so as to turn to the south-west at the level of Voinjak and reach directly the point 875 of the Austrian Staff map.

The frontier line cuts at right angles the upper basin of the brook of Ichtiman Dere, passes between Bogdina and Karaula, so as to rejoin the line of the watershed separating the basins of the Isker and the Marica, between Carmurli and Hadzilar, follows that line by the summits of Velina Mogila, the "col" 531, Zrnailica Vrh, Sumnatica, and rejoins the administrative boundary of the Sandjak of Sofia between Sivri Tas and Cadir Tepe.

From Cadir Tepe, the frontier, taking a south-westerly direction, follows the watershed between the basins of the Mesta Karasu on the one side and the Struma Karasu on the other, runs along the crests of the mountains of Rhidope called Demir Kapu, Iskoftepe, Kadimesar Balkan, and Aiji Geduk up to Kapetnik Balkan, and thus joins the former administrative frontier of the Sandjak of Sofia.

From Kapetnik Balkan the frontier is indicated by the watershed between the valleys of the Rilska reka and of the Bistrice reka, and follows the ridge called Vodenica Planina, descending into the valley of the Struma at the junction of this river with the Rilska reka, leaving the vil-

lage of Barakli to Turkey. It ascends then south of the village of Jelesnica, and reaches by the shortest line the chain of Golema Planina at the summit of Gitka, and rejoins there the former administrative frontier of the Sandjak of Sofia, leaving, however, to Turkey the whole of the basin of the Suha reka.

From Mount Gitka the western frontier goes towards Mount Crni Vrh by the mountains of Karvena Jabuka, following the former administrative limit of the Sandjak of Sofia in the upper part of the basins of Egrisu and of the Lepnica, ascends with it the crests of Babina Polana, and reaches Mount Crni Vrh.

From Mount Crni Vrh the frontier follows the watershed between the Struma and the Morava by the summits of the Streser, Vilogolo, and Mesid Planina, rejoins by the Gacina, Crna, Trava, Darkovska, and Drainica Plan, then the Descani Kladanec, the watershed of the High Sukowa and of the Morava, goes straight to the Stol, and descends from it so as to cut the road from Sofia to Pırot, 1,000 metres north-west of the village of Segusa. It ascends in a straight line the Vidlic Planina and thence Mount Radocina in the chain of the Kodza Balkan, leaving to Servia the village of Doikinci, and to Bulgaria that of Senakos.

From the summit of Mount Radocina the frontier follows towards the west the crest of the Balkans by Ciprovec Balkan and Stara Planina up to the former eastern frontier of the Principality of Servia, near to the Kula Smiljova Cuka, and thence that former frontier as far as the Danube, which it rejoins at Rakovitza.

This delimitation shall be fixed on the spot by the European Commission, on which the Signatory Powers shall be represented. It is understood —

1. That this Commission will take into consideration the necessity for His Imperial Majesty the Sultan to be able to defend the Balkan frontiers of Eastern Roumelia.
2. That no fortifications may be erected within a radius of 10 kilom. from Samakow.

ARTICLE III.

The Prince of Bulgaria shall be freely elected by the population and confirmed by the Sublime Porte, with the assent of the Powers. No member of the Reigning Dynasties of the Great European Powers may be elected Prince of Bulgaria.

In case of a vacancy in the princely dignity, the election of the new Prince shall take place under the same conditions and with the same forms.

ARTICLE IV.

An Assembly of Notables of Bulgaria, convoked at Tirnovo, shall, before the election of the Prince, draw up the Organic Law of the Principality.

In the districts where Bulgarians are intermixed with Turkish, Roumanian, Greek, or other populations, the rights and interests of these populations shall be taken into consideration as regards the elections and the drawing up of the Organic Law.

ARTICLE V.

The following points shall form the basis of the public law of Bulgaria:

The difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship are assured to all persons belonging to Bulgaria, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

ARTICLE VI.

The provisional administration of Bulgaria shall be under the direction of an Imperial Russian Commissary until the completion of the Organic Law. An Imperial Turkish Commissary, as well as the Consuls delegated *ad hoc* by the other Powers, signatory to the present Treaty, shall be called to assist him so as to control the working of this provisional régime. In case of disagreement amongst the Consular Delegates, the vote of the majority shall be accepted, and in case of a divergence between the majority and the Imperial Russian Commissary or the Imperial Turkish Commissary, the Representatives of the Signatory Powers at Constantinople, assembled in Conference, shall give their decision.

ARTICLE VII.

The provisional régime shall not be prolonged beyond a period of nine months from the exchange of the ratifications of the present Treaty.

When the Organic Law is completed the election of the Prince of Bulgaria shall be proceeded with immediately. As soon as the Prince shall have been installed, the new organization shall be put into force, and the principality shall enter into the full enjoyment of its autonomy.

ARTICLE VIII.

The Treaties of Commerce and of Navigation as well as all the Conventions and arrangements concluded between Foreign Powers and the Porte, and now in force, are maintained in the Principality of Bulgaria, and no change shall be made in them with regard to any Power without its previous consent.

No transit duties shall be levied in Bulgaria on goods passing through that Principality.

The subjects and citizens and commerce of all the Powers shall be treated in the Principality on a footing of strict equality.

The immunities and privileges of foreigners, as well as the rights of Consular jurisdiction and protection as established by the Capitulations and usages, shall remain in full force so long as they shall not have been modified with the consent of the parties concerned.

ARTICLE IX.

The amount of the annual tribute which the Principality of Bulgaria shall pay to the Suzerain Court — such amount being paid into whatever bank the Porte may hereafter designate — shall be fixed by an agreement between the Powers Signatory of the present Treaty at the close of the first year of the working of the new organization. This tribute shall be calculated on the mean revenue of the territory of the Principality.

As Bulgaria is to bear a portion of the public debt of the Empire, when the Powers fix the tribute they shall take into consideration what portion of that debt can, on the basis of a fair proportion, be assigned to the Principality.

ARTICLE X.

Bulgaria takes the place of the Imperial Ottoman Government in its undertakings and obligations towards the Rustchuk-Varna Railway Company, dating from the exchange of the ratifications of the present Treaty. The settlement of the previous accounts is reserved for an understanding between the Sublime Porte, the Government of the Principality, and the administration of this Company.

The Principality of Bulgaria likewise, so far as it is concerned, takes the place of the Sublime Porte in the engagements which the latter has contracted, as well towards Austria-Hungary as towards the Company, for working the railways of European Turkey in respect to the completion and connection, as well as the working of the railways situated in its territory.

The Conventions necessary for the settlement of these questions shall be concluded between Austria-Hungary, the Porte, Servia, and the Principality of Bulgaria immediately after the conclusion of peace.

ARTICLE XI.

The Ottoman army shall no longer remain in Bulgaria; all the old fortresses shall be razed at the expense of the Principality within one year or sooner if possible; the local Government shall immediately take steps for their demolition, and shall not construct fresh ones.

The Sublime Porte shall have the right of disposing as it likes of the war material and other effects belonging to the Ottoman Government which may have remained in the fortresses of the Danube already evacuated in virtue of the Armistice of the 31st January, as well as of those in the strongholds of Shumla and Varna.

ARTICLE XII.

Mussulman proprietors or others who may take up their abode outside the Principality may continue to hold there their real property, by farming it out, or having it administered by third parties.

A Turco-Bulgarian Commission shall be appointed to settle, within a period of two years, all questions relative to the mode of alienation, working, or use on the account of the Sublime Porte, of property belonging to the State and religious foundations (*vakoufs*), as well as of the questions regarding the interests of private persons engaged therein.

Persons belonging to the Principality of Bulgaria, who shall travel or dwell in the other parts of the Ottoman Empire, shall be subject to the Ottoman authorities and laws.

ARTICLE XIII.

A province is formed south of the Balkans which will take the name of "Eastern Roumelia," and will remain under the direct political and military authority of His Imperial Majesty the Sultan, under conditions of administrative autonomy. It shall have a Christian Governor-General.

ARTICLE XIV.

Eastern Roumelia is bounded on the north and north-west by Bulgaria, and comprises the territories included by the following line:

Starting from the Black Sea the frontier follows upwards from its mouth the mid-channel of the brook near which are situated the vil-

lages of Hodzakioj, Selam-Kioj, Aivadsik, Kulibe, Sudzuluk, crosses obliquely the valley of the Deli Kameik, passes south of Belibe and Kemhalik, and north of Hadzimahale, after having crossed the Deli-Kameik $2\frac{1}{2}$ kilom. above Cengei; reaches the crest at a point situated between Tekenlik and Aidos-Bredza, and follows it by Karnabad Balkan, Prisevica Balkan, Kazan Balkan to the north of Kotel as far as Demirkapu. It proceeds by the principal chain of the Great Balkan, the whole length of which it follows up to the summit of Kosica.

At this point the western frontier of Roumelia leaves the crest of the Balkan, descends southwards between the villages of Pirtop and Duzanci — the one being left to Bulgaria and the other to Eastern Roumelia, as far as the brook of Tuzlu Dere, follows that stream to its junction with the Topolnica, then the latter river until it meets the Smovskio Dere near the village of Petricevo, leaving to Eastern Roumelia a zone with a radius of 2 kilom. above that junction, ascends between the brooks of Šmovskio Dere and the Kamenica, following the line of the watershed so as to turn to the south-west at the level of Voinjak and reach directly the point 875 of the Austrian Staff map.

The frontier line cuts at right angles the upper basin of the brook of Ichtiman Dere, passes between Bogdina and Kāraula, so as to rejoin the line of the watershed separating the basins of the Isker and the Marica, between Camurli and Hadzilar, follows that line by the summits of Velina Mogila, the "col" 531, Zmailica Vrh, Sumnatica, and rejoins the administrative boundary of the Sandjak of Sofia between Sivri Tas and Cadir Tepe.

The frontier of Roumalia leaves that of Bulgaria at Mount Cadir Tepe, following the line of the watershed between the basins of the Marica and of its affluents on one side, and of the Mesta Karasu and of its affluents on the other, and takes the direction south-east and then south along the crest of the Despoto Dagħ Mountains, towards Mount Kruschowa (whence starts the frontier line of the Treaty of San Stefano).

From Mount Kruschowa the frontier is the same as the line laid down by the Treaty of San Stefano, that is to say, the chain of the Black Balkans (Kara Balkan), the mountains Kulaghy-Dagħ, Eschek-Tschepellu, Karakolas, and Ischiklar, from whence it descends due south-east till it reaches the River Arda, and follows the mid-channel of this river up to a point close to the village of Adacali, which remains to Turkey.

From this point the frontier line ascends the crest of the Bestepe-Dagħ, which it follows, then descends and crosses the Maritza, at a point sit-

uated 5 kilom. above the bridge of Mustafa Pasha; thence it takes a northerly direction by the line of the watershed between Demirhanli Dere and the small affluents of the Maritza to Kudeler Bair, whence it runs east to Sakar Bair; from this point it crosses the valley of the Tundza in the direction of Bujuk Derbend, which is left to the north, as also is Soudzak. From Bujuk Derbend it regains the line of the watershed between the affluents of the Tundza on the north and those of the Maritza on the south, up to the level of Kaibilar, which is included in Eastern Roumelia, and passes to the south of V. Almali between the basin of the Maritza to the south and the various streams which flow straight into the Black Sea, between the villages of Belevrin and Alatli; it follows to the north of Karanlik the crests of Visna and Zuvak, the line which separates the waters of the Duka and those of the Karagac-Su, and rejoins the Black Sea between those two rivers.

ARTICLE XV.

His Majesty the Sultan shall have the right of providing for the defense of the land and sea frontiers of the province by erecting fortifications on those frontiers, and maintaining troops there.

Internal order is maintained in Eastern Roumelia by a native gendarmerie assisted by a local militia.

In forming these corps, the officers of which are nominated by the Sultan, regard shall be paid in the different localities to the religion of the inhabitants.

His Imperial Majesty the Sultan undertakes not to employ irregular troops, such as Bashi-Bazouks and Circassians, in the garrisons of the frontiers. The regular troops detailed for this service must not in any case be billeted on the inhabitants. When they pass through the province they shall not make a stay there.

ARTICLE XVI.

The Governor-General shall have the right of summoning the Ottoman troops in the event of the internal or external security of the province being threatened. In such an eventuality the Sublime Porte shall inform the Representatives of the Powers at Constantinople of such a decision, as well as of the exigencies which justify it.

ARTICLE XVII.

The Governor-General of Eastern Roumelia shall be nominated by the Sublime Porte, with the assent of the Powers, for a term of five years.

ARTICLE XVIII.

Immediately after the exchange of the ratifications of the present Treaty, a European Commission shall be formed to arrange, in concert with the Ottoman Porte, the organization of Eastern Roumelia. This Commission will have to determine, within three months, the powers and functions of the Governor-General, as well as the administrative, judicial, and financial system of the province, taking as its basis the various laws for the vilayets and the proposals made in the eighth sitting of the Conference of Constantinople.

The whole of the arrangements determined on for Eastern Roumelia shall form the subject of an Imperial Firman, which will be issued by the Sublime Porte, and which it will communicate to the Powers.

ARTICLE XIX.

The European Commission shall be charged to administer, in concert with the Sublime Porte, the finances of the province until the completion of the new organization.

ARTICLE XX.

The Treaties, Conventions, and international arrangements of any kind whatsoever, concluded or to be concluded between the Porte and foreign Powers, shall apply in Eastern Roumelia as in the whole Ottoman Empire. The immunities and privileges acquired by foreigners, whatever their status, shall be respected in this province. The Sublime Porte undertakes to enforce there the general laws of the Empire on religious liberty in favour of all forms of worship.

ARTICLE XXI.

The rights and obligations of the Sublime Porte with regards to the railways of Eastern Roumelia are maintained in their integrity.

ARTICLE XXII.

The strength of the Russian corps of occupation in Bulgaria and Eastern Roumelia, which shall be composed of six divisions of infantry and two divisions of cavalry, shall not exceed 50,000 men. It shall be maintained at the expense of the country occupied. The army of occupation will preserve its communications with Russia not only through Roumania, in accordance with arrangements to be concluded between the two States, but also through the ports of the Black Sea, Varna and Bourgas,

where it may, during the period of occupation, organize the necessary depots.

The period of the occupation of Eastern Roumelia and Bulgaria by the Imperial Russian troops is fixed at nine months from the date of the exchange of the ratifications of the present Treaty.

The Imperial Russian Government undertakes that within a further period of three months the passage of its troops across Roumania shall cease, and that Principality shall be completely evacuated.

ARTICLE XXIII.

The Sublime Porte undertakes scrupulously to apply in the Island of Crete the Organic Law of 1868, with such modifications as may be considered equitable.

Similar laws adapted to local requirements, excepting as regards the exemption from taxation granted to Crete, shall also be introduced into the other parts of Turkey in Europe for which no special organization has been provided by the present Treaty.

The Sublime Porte shall depute special Commissions, in which the native element shall be largely represented, to settle the details of the new laws in each province.

The schemes of organization resulting from these labours shall be submitted for examination to the Sublime Porte, which, before promulgating the Acts for putting them into force, shall consult the European Commission instituted for Eastern Roumelia.

ARTICLE XXIV.

In the event of the Sublime Porte and Greece being unable to agree upon the rectification of the frontier suggested in the 13th Protocol of the Congress of Berlin, Germany, Austria-Hungary, France, Great Britain, Italy, and Russia reserve to themselves to offer their mediation to the two parties to facilitate negotiations.

ARTICLE XXV.

The Provinces of Bosnia and Herzegovina shall be occupied and administered by Austria-Hungary. The Government of Austria-Hungary, not desiring to undertake the administration of the Sandjak of Novi-Bazar, which extends between Servia and Montenegro in a south-easterly direction to the other side of Mitrovitza, the Ottoman Administration will continue to exercise its functions there. Nevertheless, in order to

assure the maintenance of the new political state of affairs, as well as freedom and security of communications, Austria-Hungary reserves the right of keeping garrisons and having military and commercial roads in the whole of this part of the ancient Vilayet of Bosnia. To this end the Governments of Austria-Hungary and Turkey reserve to themselves to come to an understanding on the details.

ARTICLE XXVI.

The independence of Montenegro is recognized by the Sublime Porte and by all those of the High Contracting Parties who had not hitherto admitted it.

ARTICLE XXVII.

The High Contracting Parties are agreed on the following conditions:

In Montenegro the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to Montenegro, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

ARTICLE XXVIII.

The new frontiers of Montenegro are fixed as follows:

Starting at Ilino-brdo to the north of Klobuk, the line descends to the Trebinjcica towards Grancarevo, which remains to Herzegovina, then ascends the course of that river up to a point 1 kilom. below its confluence with the Cepelica, and from thence passes by the most direct line on to the heights which border the River Trebinjcica. It then proceeds in the direction of Pilatova, leaving that village to Montenegro, and continues along the heights in a northerly direction, maintaining as far as possible a distance of 6 kilom. from the Bilek-Korito-Gacko road, up to the "col" between the Somina Planina and Mount Curilo, whence it proceeds in an easterly direction by Vratkovici, leaving this village to Herzegovina, up to Mount Orlina. Starting from this point the frontier, leaving Ravno to Montenegro, goes straight to the north-north-east, crossing the summits of the Lebersnik and of the Volujak, then descends by the shortest line on to the River Piva, which it crosses and rejoins the

River Tara, passing between Crkiica and Nedvina. From this point it ascends the Tara to Mojkovac, from which place it passes along the crest of the ridge as far as Siskojezero. Leaving this point, it coincides with the former frontier as far as the village of Sekulare. From there the new frontier passes along the crests of the Mokra Planina, the village of Mokra remaining to Montenegro; it then reaches the point 2166 on the Austrian Staff Map, following the principal chain and the line of the watershed between the Lim on the one side, and the Drin as well as the Cievna (Zem) on the other.

It then coincides with the existing boundaries between the tribe of the Kuci-Drekalovici on one side, and the Kucka-Krajna, as well as the tribes of the Klementi and Grudi, on the other, to the plain of Podgorica, from whence it proceeds towards Plavnica, leaving the Klementi, Grudi, and Hoti tribes to Albania.

Thence the new frontier crosses the lake near the Islet of Gorica-Topal, and, from Gorica-Topal, takes a straight line to the top of the crest, whence it follows the watershed between Megured and Kalimed, leaving Mrkovic to Montenegro, and reaching the Adriatic at V. Kruci.

On the north-west the frontier will be formed by a line passing from the coast between the villages of Susana and Zubci, and terminating at the extreme south-east point of the existing frontier of Montenegro on the Vrsuta Planina.

ARTICLE XXIX.

Antivari and its sea-board are annexed to Montenegro under the following conditions:

The districts situated to the south of that territory, in accordance with the delimitation above laid down, as far as the Boyana, including Dulcinjo, shall be restored to Turkey.

The Commune of Spica, as far as the southernmost point of the territory indicated in the detailed description of the frontiers, shall be incorporated with Dalmatia.

Montenegro shall have full and complete freedom of navigation on the Boyana. No fortifications shall be constructed on the course of that river except such as may be necessary for the local defense of the stronghold of Scutari, and they shall not extend beyond a distance of 6 kilom. from that town.

Montenegro shall have neither ships of war nor flag of war.

The port of Antivari and all the waters of Montenegro shall remain closed to the ships of war of all nations.

The fortifications situated on Montenegrin territory between the lake and the coasts shall be razed, and none shall be rebuilt within this zone.

The administration of the maritime and sanitary police, both at Antivari and along the coast of Montenegro, shall be carried out by Austria-Hungary by means of light coast-guard boats.

Montenegro shall adopt the maritime code in force in Dalmatia. On her side Austria-Hungary undertakes to grant Consular protection to the Montenegrin merchant flag.

Montenegro shall come to an understanding with Austria-Hungary on the right to construct and keep up across the new Montenegrin territory a road and a railway.

Absolute freedom of communication shall be guaranteed on these roads.

ARTICLE XXX.

Mussulmans or others possessing property in the territories annexed to Montenegro, who may wish to take up their residence outside the Principality, can retain their real property either by farming it out, or by having it administered by third parties.

No one shall be liable to be expropriated otherwise than by legal process for the public welfare, and with a previous indemnity.

A Turco-Montenegrin Commission shall be appointed to settle, within a period of three years, all questions relative to the mode of alienation, working, or use, on the account of the Sublime Porte, of the property belonging to the State and religious foundations (Vakoufs), as well as of the questions regarding the interests of private parties engaged therein.

ARTICLE XXXI.

The Principality of Montenegro shall come to a direct understanding with the Ottoman Porte with regard to the establishment of Montenegrin agents at Constantinople, and at certain places in the Ottoman Empire where the necessity for them shall be admitted.

Montenegrins travelling or residing in the Ottoman Empire shall be subject to the Ottoman laws and authorities, according to the general principles of international law, and the customs established with regard to Montenegrins.

ARTICLE XXXII.

The Montenegrin troops shall be bound to evacuate within twenty days from the date of ratification of the present Treaty, or sooner if possible, the territory that they occupy at present beyond the new limits of the Principality.

The Ottoman troops shall evacuate the territories ceded to Montenegro within the same period of twenty days. A supplementary period of fifteen days shall, however, be granted to them, as well for evacuating the fortresses and withdrawing the stores and material of war from them, as for drawing up inventories of the implements and articles which cannot be immediately removed.

ARTICLE XXXIII.

As Montenegro is to bear a portion of the Ottoman public debt for the new territories assigned to her by the Treaty of Peace, the Representatives of the Powers at Constantinople shall determine the amount of the same in concert with the Sublime Porte on an equitable basis.

ARTICLE XXXIV.

The High Contracting Parties recognize the independence of the Principality of Servia, subject to the conditions set forth in the following Article.

ARTICLE XXXV.

In Servia the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries, in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to Servia, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

ARTICLE XXXVI.

Servia receives the territories included in the following delimitation:

The new frontier follows the existing line ascending the mid-channel of the Drina from its confluence with the Save, leaving Mali Zwornik and Sakhar to the Principality, and continues to follow the former boundary of Servia as far as the Kopaonik, leaving it at the summit of the Kanilug. From that point it follows at first the western boundary of the Sandjak of Nisch by the southern spur of the Kopaonik, by the crests of the Marica and Mrdar Planina, which form the watershed between the basins of the Ibar and Sitnica on one side, and that of the Toplica on the other, leaving Prepolac to Turkey.

It then turns to the south by the watershed between the Brvenica and the Medvedja, leaving the whole of the basin of the Medvedja to Servia; follows the crests of the Goljak Planina (which forms the watershed between the Kriva-Rjeka on one side and the Poljanica, Veternica, and Morawa on the other), as far as the summit of the Poljanica. It then follows the spur of the Karpina Planina as far as the confluence of the Koinska and the Morawa, crosses this river, and ascends by the watershed between the Koinska brook and the stream which falls into the Morawa near Neradovce, to reach the Sv. Ilija Planina above Trgoviste. Thence it follows the crest of the Sv. Ilija as far as Mount Kljuc, and passing by the points marked 1516 and 1547 on the map, and by the Babina Gora, it reaches Mount Crni-Vrh.

From Mount Crni Vrh, the new delimitation coincides with that of Bulgaria, that is to say:

The line of frontier follows the watershed between the Struma and the Morawa by the summits of Streser, Vilogolo, and Mesid Planina, rejoins by the Gacina, Crna Trava, Darkovska, and Drainica Plan, then the Descani Kladanec, the watershed of the High Sukowa and of the Morawa, goes straight to the Stol, and descends from it so as to cut the road from Sofia to Firof, 1,000 metres north-west of the village of Segusa. It ascends in a straight line the Vidlic Planina, and thence Mount Radocina in the chain of the Kodza Balkan, leaving to Servia the village of Doikinci, and to Bulgaria that of Sanakos.

From the summit of Mount Radocina the frontier follows towards the north-west, the crest of the Balkans by Ciprovec Balkan and Stara Planina up to the former eastern frontier of the Principality of Servia, near to the Kula Smiljova cuka, and thence that former frontier as far as the Danube, which it joins at Rakovitza.

ARTICLE XXXVII.

Until the conclusion of fresh arrangements no change shall be made in Servia in the actual conditions of the commercial intercourse of the Principality with foreign countries.

No transit duties shall be levied on goods passing through Servia.

The immunities and privileges of foreign subjects, as well as the rights of Consular jurisdiction and protection, as at present existing, shall remain in full force so long as they shall not have been modified by mutual consent between the Principality and the Powers concerned.

ARTICLE XXXVIII.

The Principality of Servia takes the place, so far as it is concerned, of the Sublime Porte in the engagements which the latter has contracted as well towards Austria-Hungary as towards the Company for the working of the railways of Turkey in Europe, in respect to the completion and connection, as well as the working of the railways to be constructed on the territory newly acquired by the Principality.

The Conventions necessary for settling these questions shall be concluded, immediately after the signature of the present Treaty, between Austria-Hungary, the Porte, Servia, and, within the limits of its competency, the Principality of Bulgaria.

ARTICLE XXXIX.

Mussulmans possessing property in the territories annexed to Servia, who may wish to reside in the Principality, may retain their real property, either by farming it out or by having it administered by third parties.

A Turco-Servian Commission shall be appointed to settle, within a period of three years, all questions relative to the mode of alienation, working, or use, on the account of the Sublime Porte, of the property belonging to the State and religious foundations (Vakoufs), as well as of the questions regarding the interests of private persons engaged therein.

ARTICLE XL.

Until the conclusion of a Treaty between Turkey and Servia, Servian subjects travelling or residing in the Ottoman Empire shall be treated according to the general principles of international law.

ARTICLE XLI.

The Servian troops shall be bound to evacuate within fifteen days from the exchange of the ratifications of the present Treaty the territory not comprised within the new limits of the Principality.

The Ottoman troops shall evacuate the territories ceded to Servia within the same term of fifteen days. A supplementary term of an equal number of days shall, however, be granted to them as well for evacuating the fortresses and withdrawing the provisions and material of war as for drawing up the inventory of the implements and objects which cannot be removed at once.

ARTICLE XLII.

As Servia is to bear a portion of the Ottoman Public Debt for the new territories assigned to her by the present Treaty, the Representatives at Constantinople shall fix the amount of it in concert with the Sublime Porte on an equitable basis.

ARTICLE XLIII.

The High Contracting Parties recognize the independence of Roumania, subject to the conditions set forth in the two following Articles.

ARTICLE XLIV.

In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

The subjects and citizens of all the Powers, traders or others, shall be treated in Roumania, without distinction of creed, on a footing of perfect equality.

ARTICLE XLV.

The Principality of Roumania restores to His Majesty the Emperor of Russia that portion of the Bessarabian territory detached from Russia by the Treaty of Paris of 1856, bounded on the west by the mid-channel of the Pruth, and on the south by the mid-channel of the Kilia Branch and the Stary-Stamboul mouth.

ARTICLE XLVI.

The islands forming the Delta of the Danube, as well as the Isle of Serpents, the Sandjak of Toultscha, comprising the districts (cazas) of Kilia, Soulina Mahmoudie, Isaktcha, Toultscha, Matchin, Babadagh, Hirsovo, Kustendje, Medjidie, are added to Roumania. The Principality receives in addition the territory situated to the south of the Dobroutcha as far as a line starting from the east of Silistria and terminating on the Black Sea, south of Mangalia.

The frontier line shall be determined on the spot by the European Commission appointed for the delimitation of Bulgaria.

ARTICLE XLVII.

The question of the division of the waters and the fisheries shall be submitted to the arbitration of the European Commission of the Danube.

ARTICLE XLVIII.

No transit duties shall be levied in Roumania on goods passing through the Principality.

ARTICLE XLIX.

Roumania shall have power to make Conventions to determine the privileges and attributes of Consuls in regard to protection within the Principality. Existing rights shall remain in force so long as they shall not have been modified by the mutual consent of the Principality and the parties concerned.

ARTICLE L.

Until the conclusion of a Treaty between Turkey and Roumania, fixing the privileges and attributes of Consuls, Roumanian subjects travelling or residing in the Ottoman Empire, and Ottoman subjects travelling or residing in Roumania, shall enjoy the rights guaranteed to the subjects of other European Powers.

ARTICLE LI.

With regard to public works and other enterprises of a like nature, Roumania shall be substituted for the Sublime Porte as regards its rights and obligations throughout the ceded territory.

ARTICLE LII.

In order to increase the guarantees which assure the freedom of navigation on the Danube which is recognized as of European interest, the High Contracting Parties determine that all the fortresses and fortifications existing on the course of the river from the Iron Gates to its mouths shall be razed, and no new ones erected. No vessel of war shall navigate the Danube below the Iron Gates with the exception of vessels of light tonnage in the service of the river police and Customs. The "stationnaires" of the Powers at the mouths of the Danube may, however, ascend the river as far as Galatz.

ARTICLE LIII.

The European Commission of the Danube on which Roumania shall be represented is maintained in its functions, and shall exercise them henceforth as far as Galatz in complete independence of the territorial authorities. All the Treaties, arrangements, acts, and decisions relating to its rights, privileges, prerogatives, and obligations are confirmed.

ARTICLE LIV.

One year before the expiration of the term assigned for the duration of the European Commission the Powers shall come to an understanding as to the prolongation of its powers, or the modifications which they may consider necessary to introduce.

ARTICLE LV.

The regulations respecting navigation, river police, and supervision from the Iron Gates to Galatz shall be drawn up by the European Commission, assisted by Delegates of the Riverain States, and placed in harmony with those which have been or may be issued for the portion of the river below Galatz.

ARTICLE LVI.

The European Commission of the Danube shall come to an arrangement with the proper authorities to ensure the maintenance of the lighthouse on the Isle of Serpents.

ARTICLE LVII.

The execution of the works which have for their object the removal of the obstacles which the Iron Gates and the Cataracts place in the way of navigation is entrusted to Austria-Hungary. The Riverain States on this part of the river shall afford every facility which may be required in the interest of the works.

The provisions of the VIth Article of the Treaty of London of the 13th March, 1871, relating to the right of levying a provisional tax in order to cover the cost of these works, are maintained in favour of Austria-Hungary.

ARTICLE LVIII.

The Sublime Porte cedes to the Russian Empire in Asia the territories of Ardahan, Kars, and Batoum, together with the latter port, as well as

all the territories comprised between the former Russo-Turkish frontier and the following line:

The new frontier starting from the Black Sea, and coinciding with the line laid down by the Treaty of San Stefano as far as a point to the north-west of Khorda, and to the south of Artwin, continues in a straight line as far as the River Tchoroukh, crosses this river and passes to the east of Aschmichen, going in a straight line to the south so as to rejoin the Russian frontier indicated in the Treaty of San Stefano, at a point to the south of Nariman, leaving the town of Olti to Russia. From the point indicated near Nariman the frontier turns to the east, passes by Tebrenee, which remains to Russia, and continues as far as the Pennek Tschai.

It follows this river as far as Bardouz, then turns towards the south, leaving Bardouz and Jonikiy to Russia. From a point to the west of the village of Karaougan, the frontier takes the direction of Medjingert, continues in a straight line towards the summit of the Mountain Kassadagh, and follows the line of the watershed between the affluents of the Araxes on the north and those of the Mourad Scu on the south, as far as the former frontier of Russia.

ARTICLE LIX.

His Majesty the Emperor of Russia declares that it is his intention to constitute Batoum a free port, essentially commercial.

ARTICLE LX.

The valley of Alaschkerd and the town of Bayazid, ceded to Russia by Article XIX of the Treaty of San Stefano, are restored to Turkey.

The Sublime Porte cedes to Persia the town and territory of Khotour, as fixed by the mixed Anglo-Russian Commission for the delimitation of the frontiers of Turkey and of Persia.

ARTICLE LXI.

The Sublime Porte undertakes to carry out, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by the Armenians, and to guarantee their security against the Circassians and Kurds.

It will periodically make known the steps taken to this effect to the Powers, who will superintend their application.

ARTICLE LXII.

The Sublime Porte having expressed the intention to maintain the principle of religious liberty, and give it the widest scope, the Contracting Parties take note of this spontaneous declaration.

In no part of the Ottoman Empire shall difference of religion be alleged against any person as a ground for exclusion or incapacity as regards the discharge of civil and political rights, admission to the public employments, functions and honours, or the exercise of the various professions and industries.

All persons shall be admitted, without distinction of religion, to give evidence before the tribunals.

The freedom and outward exercise of all forms of worship are assured to all, and no hindrance shall be offered either to the hierarchical organization of the various communions or to their relations with their spiritual chiefs.

Ecclesiastics, pilgrims, and monks of all nationalities travelling in Turkey in Europe, or in Turkey in Asia, shall enjoy the same rights, advantages, and privileges.

The right of official protection by the Diplomatic and Consular Agents of the Powers in Turkey is recognized both as regards the above-mentioned persons and their religious, charitable, and other establishments in the Holy Places and elsewhere.

The rights possessed by France are expressly reserved, and it is well understood that no alterations can be made in the *status quo* in the Holy Places.

The monks of Mount Athos, of whatever country they may be natives, shall be maintained in their former possessions and advantages, and shall enjoy, without any exception, complete equality of rights and prerogatives.

ARTICLE LXIII.

The Treaty of Paris of March 30, 1856, as well as the Treaty of London of March 13, 1871, are maintained in all such of their provisions as are not abrogated or modified by the preceding stipulations.

ARTICLE LXIV.

The present Treaty shall be ratified, and the ratifications exchanged at Berlin within three weeks, or sooner if possible.

In faith whereof the respective Plenipotentiaries have signed it, and affixed to it the seal of their arms.

Done at Berlin, the thirteenth day of the month of July, one thousand eight hundred and seventy-eight.

(L. S.)	(Signed)	BEACONSFIELD.
(L. S.)		SALISBURY.
(L. S.)		ODO RUSSELL.
(L. S.)		V. BISMARCK.
(L. S.)		BULOW.
(L. S.)		HOHENLOHE.
(L. S.)		ANDRASSY.
(L. S.)		KAROLYI.
(L. S.)		HAYMERLE.
(L. S.)		WADDINGTON.
(L. S.)		SAINT-VALLIER.
(L. S.)		H. DESPREZ.
(L. S.)		L. CORTI.
(L. S.)		LAUNAY
(L. S.)		GORTCHAKOW.
(L. S.)		SCHOUVALOFF.
(L. S.)		P. D'OUBRIL.
(L. S.)		AL. CARATHEODORY.
(L. S.)		MEHEMED ALI.
(L. S.)		SADOULLAH.

THE DEFINITIVE TREATY OF PEACE BETWEEN RUSSIA AND THE PORTE.

Signed at Constantinople on 8th February, 1879.

Au nom de Dieu tout-puissant.

S. M. L'Empereur de toutes les Russies et S. M. l'Empereur des Ottomans, désirant consacrer le rétablissement de la paix entre les deux Empires, et régler définitivement, par un traité, les clauses du traité préliminaire de San Stéfano qui doivent faire l'objet d'une entente directe entre les deux États, ont nommé pour leurs plénipotentiaires: S. M. l'Empereur de toutes les Russies, d'une part, le Prince Alexis Lobanow-Rostovsky, &c.; et S. M. l'Empereur des Ottomans, de l'autre, Al. Carathéodory Pacha, &c., et Ali Pacha, &c.; Lesquels, après avoir échangé leurs pleins-pouvoirs, &c., sont tombés d'accord sur les articles suivants:

ART. I. Il y aura désormais paix et amitié entre les deux Empires.

ART. II. Les deux Puissances sont d'accord pour déclarer que les stipulations du Traité de Berlin, intervenu entre les sept Puissances, ont remplacé les articles des préliminaires de paix de San Stéfano, qui ont été abrogés ou modifiés par le Congrès.

ART. III. Les stipulations du Traité de San Stéfano qui n'ont pas été abrogées ou modifiées par le Traité de Berlin sont réglées définitivement par les articles suivants du présent Traité.

ART. IV. Défalcation faite de la valeur des territoires cédés par la Turquie à la Russie en conformité du Traité de Berlin, l'indemnité de guerre reste fixée à la somme de huit cent deux millions cinq cent mille francs. Le mode de paiement de cette somme et la garantie à y affecter, sauf les déclarations contenues dans le Protocole II du Congrès de Berlin, relativement à la question territoriale et aux droits des créanciers, seront réglées par une entente entre le Gouvernement de Sa Majesté l'Empereur de toutes les Russies, et celui de Sa Majesté l'Empereur des Ottomans.

ART. V. Les réclamations des sujets et institutions Russes en Turquie, à titre d'indemnité pour les dommages subis pendant la guerre, seront payées à mesure qu'elles seront examinées par l'ambassade de Russie à Constantinople, et transmises à la Sublime Porte. La totalité de ces réclamations ne pourra en aucun cas dépasser le chiffre de vingt-six millions sept cent cinquante mille francs. Le terme d'une année après l'échange des ratifications est fixé comme date à partir de laquelle les réclamations pourront être présentées à la Sublime Porte, et celui de deux ans comme date après laquelle les réclamations ne seront plus admises.

ART. VI. Des commissaires spéciaux seront nommés par le Gouvernement Impérial de Russie, et la Sublime Porte afin d'établir les comptes des frais résultant de l'entretien des prisonniers de guerre Ottomans. Ces comptes seront arrêtés à la date de la signature du Traité de Berlin. On déduira les frais effectués par le Gouvernement Ottoman pour l'entretien des prisonniers Russes, et la somme qui en résultera, une fois établie, sera payée par la Sublime Porte en vingt-et-un termes égaux, dans l'espace de sept années.

ART. VII. Les habitants des localités cédées à la Russie qui voudraient fixer leur résidence hors de ces territoires seront libres de se retirer, en vendant leurs propriétés immobilières. Un délai de trois ans leur sera accordé à cet effet à partir de la ratification du présent acte.

Passé ce délai, les habitants qui n'auraient pas quitté le pays et vendu leurs immeubles resteront sujets Russes.

ART. VIII. Les deux parties prennent mutuellement l'engagement de ne sévir ni de laisser sévir d'aucune manière contre les sujets Russes ou Ottomans qui auraient été compromis par leurs relations avec les armées des deux Empires pendant la guerre. Dans le cas où quelques personnes voudraient se retirer avec leurs familles à la suite des troupes Russes, les autorités Ottomanes ne s'opposeront pas à leur départ.

ART. IX. Une amnistie pleine et entière est assurée à tous les sujets Ottomans compromis dans les derniers événements des provinces de la Turquie d'Europe, et toutes les personnes détenues de ce fait, envoyées en exil, ou éloignées de leur pays, retourneront immédiatement en jouissance de leur liberté.

ART. X. Tous les traités convenus et engagements conclus entre les deux hautes parties contractantes relativement au commerce, à la juridiction et à la position des sujets Russes en Turquie et qui avaient été supprimés par l'état de guerre, seront remis en vigueur, et les deux gouvernements seront replacés l'un vis à l'autre pour leurs engagements et rapports commerciaux et autres dans la même situation où ils se trouvaient avant la déclaration de la guerre, le tout sauf les clauses auxquelles il serait dérogé par le présent article ou en vertu du Traité de Berlin.

ART. XI. La Sublime Porte prendra des mesures efficaces pour terminer à l'amiable toutes les affaires litigieuses des sujets Russes pendantes depuis plusieurs années, dédommager ces derniers s'il y a lieu, et faire exécuter sans délai les sentences rendues.

ART. XII. Le présent acte sera ratifié et les ratifications en seront échangées à St. Pétersbourg, dans l'espace de deux semaines ou plus tôt si faire se peut. En foi de quoi, &c.

LOBANOW.

AL. CARATHÉODORY.

ALI.

Fait à Constantinople le 27 Janvier (8 Février.), 1879.

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